

Forty-Third Annual Report
OF THE
RAILROAD COMMISSION
OF THE
STATE OF FLORIDA

FOR THE YEAR 1939



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COMMISSIONERS

GEO. G. MCWHORTER, <i>Chairman</i> , Commissioner; E. J. VANN, Commissioner; WILLIAM HIMES, Commissioner; JOHN G. WARD, <i>Secretary</i> .	}	Aug. 17, 1887, to June 13, 1891.
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(Commission was abolished by Act of Legislature, 1891; was recreated by Act of Legislature, 1897.)

R. H. M. DAVIDSON, <i>Chairman</i> , Commissioner; HENRY E. DAY, Commissioner; JOHN M. BRYAN, Commissioner; J. L. NEELEY, JR., <i>Secretary</i> .	}	July 1, 1897, to Jan. 3, 1899.
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HENRY E. DAY, <i>Chairman</i> , Commissioner; JOHN M. BRYAN, Commissioner; JOHN L. MORGAN, Commissioner; J. N. NEELEY, <i>Secretary</i> .	}	Jan. 3, 1899, to Jan. 8, 1901.
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HENRY E. DAY, <i>Chairman</i> , Commissioner; (Henry E. Day resigned October 1, 1932, and was succeeded by R. Hudson Burr. At the same time John L. Morgan was elected Chairman for the rest of the term.)	}	Jan. 8, 1901, to Jan. 6, 1903.
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JOHN M. BRYAN, Commissioner; JOHN L. MORGAN, Commissioner; J. N. NEELEY, <i>Secretary</i> . (John L. Neeley resigned October 1, 1901, and Royal C. Dunn was elected as his successor.)	}	Jan. 8, 1901, to Jan. 6, 1903.
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JEFFERSON B. BROWN, <i>Chairman</i> , Commissioner; R. HUDSON BURR, Commissioner; JOHN L. MORGAN, Commissioner; ROYAL C. DUNN, <i>Secretary</i> .	}	Jan. 6, 1903, to Jan. 3, 1905.
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JEFFERSON B. BROWN, <i>Chairman</i> , Commissioner; R. HUDSON BURR, Commissioner; JOHN L. MORGAN, Commissioner; ROYAL C. DUNN, <i>Secretary</i> .	}	Jan. 3, 1905, to Jan. 8, 1907.
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R. HUDSON BURR, <i>Chairman</i> , Commissioner; JOHN L. MORGAN, Commissioner; NEWTON A. BLITCH, Commissioner; ROYAL C. DUNN, <i>Secretary</i> .	}	1907, to Jan. 4, 1909. Jan. 8,
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R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 4,
NEWTON A. BLITCH, Commissioner;		1909, to
ROYAL C. DUNN, Commissioner;		Jan. 3,
S. E. COBB, <i>Secretary</i> .		1911.

(S. E. Cobb resigned Sept. 5, 1909 and J. Will Yon was elected as his successor.)

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 3,
NEWTON A. BLITCH, Commissioner;		1911, to
ROYAL C. DUNN, Commissioner;		Jan. 7,
J. WILL YON, <i>Secretary</i> .		1913.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 7,
NEWTON A. BLITCH, Commissioner;		1913, to
ROYAL C. DUNN, Commissioner;		Jan. 5,
J. WILL YON, <i>Secretary</i> .		1915.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 5,
NEWTON A. BLITCH, Commissioner;		1915, to
ROYAL C. DUNN, Commissioner;		Jan. 2,
J. WILL YON, <i>Secretary</i> .		1917.

(J. Will Yon resigned August 1, 1917, and Lewis G. Thompson was elected as his successor.)

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 2,
NEWTON A. BLITCH, Commissioner;		1917, to
ROYAL C. DUNN, Commissioner;		Jan. 7,
LEWIS G. THOMPSON, <i>Secretary</i> .		1919.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 7,
NEWTON A. BLITCH, Commissioner;		1919, to
ROYAL C. DUNN, Commissioner;		Jan. 4,
LEWIS G. THOMPSON, <i>Secretary</i> .		1921.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 4,
NEWTON A. BLITCH, Commissioner;		1921, to
A. S. WELLS, Commissioner;		Jan. 2,
LEWIS G. THOMPSON, <i>Secretary</i> .		1923.

Note—Royal C. Dunn was not a candidate for re-election.

Note—Newton A. Blitch died on October 30, 1921, and was succeeded by Hon. A. D. Campbell, effective November 12, 1922.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 7,
A. D. CAMPBELL, Commissioner;		1923, to
A. S. WELLS, Commissioner;		Jan. 2,
LEWIS G. THOMPSON, <i>Secretary</i> .		1925.

Note—A. D. Campbell died on February 10, 1924, and was succeeded by Hon. E. S. Matthews, effective February 25, 1924.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 7,
E. S. MATTHEWS, Commissioner;		1925, to
A. S. WELLS, Commissioner;		Jan. 4,
LEWIS G. THOMPSON, <i>Secretary</i> .		1927.

A. S. WELLS, <i>Chairman</i> , Commissioner;	}	Jan. 4,
E. S. MATTHEWS, Commissioner;		1927, to
*R. L. EATON, Commissioner;		Jan. 8,
LEWIS G. THOMPSON, <i>Secretary</i> .		1929.

*Died February 27, 1927, and was succeeded by Mrs. R. L. Eaton, under appointment by the Governor for the unexpired term.

*A. S. WELLS, <i>Chairman</i> , Commissioner;	}	Jan. 8,
EUGENE S. MATTHEWS, Commissioner;		1929, to
MRS. R. L. EATON, Commissioner;		Jan. 6,
LEWIS G. THOMPSON, <i>Secretary</i> .		1931.

*A. S. Wells died December 16, 1930, and was succeeded by L. D. Reagin, appointed by the Governor to serve for the unexpired term.

EUGENE S. MATTHEWS, <i>Chairman</i> , Commissioner;	}	Jan. 8,
MAMIE EATON-GREENE, Commissioner;		1931, to
*L. D. REAGIN, Commissioner;		Jan. 6,
LEWIS G. THOMPSON, <i>Secretary</i> .		1933.

*L. D. Reagin resigned and Tucker Savage was issued a commission on July 6, 1931, appointing him to serve for the unexpired term.

EUGENE S. MATTHEWS, <i>Chairman</i> , Commissioner;	}	Jan. 3,
MAMIE EATON-GREENE, Commissioner;		1933, to
*W. B. DOUGLAS, Commissioner;		Jan. 8,
LEWIS G. THOMPSON, <i>Secretary</i> .		1935.

*Tucker Savage, appointed to fill unexpired term of L. D. Reagin, was not a candidate for re-election.

W. B. DOUGLASS, <i>Chairman</i> , Commissioner;	}	Jan. 8,
EUGENE S. MATTHEWS, Commissioner;		1935, to
JERRY W. CARTER, Commissioner;		Jan. 6,
*LEWIS G. THOMPSON, <i>Secretary</i> .		1937.

Commissioner JERRY W. CARTER was elected chairman for the year 1937.

*Lewis G. Thompson resigned July 3, 1936, and George L. Patten was elected as his successor.

JERRY W. CARTER, <i>Chairman</i> , Commissioner;	}	Jan. 6,
EUGENE S. MATTHEWS, Commissioner;		1937, to
W. B. DOUGLASS, Commissioner;		Jan. 6,
GEO. L. PATTEN, <i>Secretary</i> .		1939.

EUGENE S. MATTHEWS, <i>Chairman</i> , Commissioner;	}	Jan. 6,
JERRY W. CARTER, Commissioner;		1939, to
W. B. DOUGLASS, Commissioner;		Dec. 31,
GEO. L. PATTEN, <i>Secretary</i> .		1939.

FLORIDA RAILROAD COMMISSION

Tallahassee, Florida

LETTER OF TRANSMITTAL

March 1, 1940.

To His Excellency,
Fred P. Cone,
Governor of Florida.

Dear Sir:

In accordance with the provisions of the Statutes, we transmit herewith the report of the Railroad Commission of the State of Florida for the calendar year, 1939.

Respectfully submitted,

EUGENE S. MATTHEWS, Chairman,
JERRY W. CARTER, Commissioner,
W. B. DOUGLASS, Commissioner,

GEORGE L. PATTEN,
Secretary.

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**Report of the
Traffic Department**

EDITORIAL**ESTIMATED WEIGHTS ON CITRUS**

By schedules proposed to be made effective July 23, 1938, (Supplement 152, Item 309-GG, Alternate Agent Miller's ICC No. 1828; Supp. 30, Item 15-F, Miller's ICC No. 1595; Supp. 30, Item 765-A, Kipp's ICC No. 1404; and Supp. 32, Item 765-A, Kipp's ICC No. 1403, rail carriers proposed to increase the estimated weights on citrus fruit from Florida to all interstate destinations as follows:

Oranges, standard box, 12x12x24 inches, from 90 to 100 pounds.

Tangerines, Half "strap," 6x12x24 inches, from 45 to 50 pounds.

Tangerines, Standard box 12x12x24 inches, from 90 to 95 pounds.

While carriers attempted to increase estimated weights on Citrus Fruits from the three major producing areas in the United States are involved in this proceeding, Florida shippers were only interested in the Florida movement. However, the inclusion of all of the producing areas in the original proposal made it necessary that this Commission have a representative at all of the hearings, which were held in Los Angeles, California, Harlingen, Texas, and Orlando, Fla.

This Commission delegated Mr. Fred Pettijohn, its Accountant to attend and participate in all of these hearings, but with particular reference to the Florida situation.

By order of the Interstate Commerce Commission the tariffs above referred to were suspended, as to the items involved, and the matter then went to hearing in Los Angeles, Harlingen, Texas, and Orlando, Fla.

The position of the Florida Railroad Commission in this proceeding is that in increasing estimated weights on citrus fruits consideration should be given to the increased charges produced thereby. In this proceeding there has been no effort on the part of the rail lines to attempt to justify the lawfulness of the charges resulting from the increased weights.

If the proposed increases in weights are allowed, without at the same time taking into consideration the increased charges that will result, the approximate amount of increase in rail transportation charges on oranges from Florida will amount to the sum of \$658,666.27.

Briefs are due in this proceeding by Jan. 24th, after which there will be a proposed report by the Examiner, argument before the Commission and, finally, a decision.

The foregoing is re-printed from the Annual Report of 1938.

Recently the report and order in this proceeding has been handed down by the Interstate Commerce Commission. The Interstate Com-

merce Commission upheld the contention of the Florida Railroad Commission and the Growers and Shippers League of Florida that the increased weight could not be applied to the presently effective rates unless the carriers could justify such increased charges, which carriers were unable to do. The findings were with respect to specific issues and when considered as a whole and in relation to all findings were that the increased weights were justified; the increased charges were not justified; that the average of actual weights instead of the estimated weights should be used for billing purposes; and that carriers should adjust their rates on citrus so that the application of the average of actual weights to the revised rates would produce, as nearly as possible, the present per car charges on citrus fruit. The order also found that the average of actual weights on citrus in Bruce Crates was seven pounds less than the average of actual weights of citrus in the standard nailed boxes and that the fruit in Bruce Boxes should be billed at their average of actual weight and not at the standard Nailed Box weight as was the practice prior to this order.

**INVESTIGATION AND SUSPENSION DOCKET NO. 4577
ESTIMATED WEIGHTS ON FRUITS, OTHER THAN CITRUS, AND
VEGETABLES**

By tariffs scheduled to become effective January 1, 1939, carriers in the principal producing sections of the country proposed to establish estimated weights on fruits (other than citrus), vegetables and melons which would reflect the averages of actual weights in the different producing areas for which specific estimated weights are now published.

Except as to strawberries (for which separate weights are proposed for Florida, different from other strawberry producing states in southeastern territory) southern carriers propose the same estimated weights for each kind of vegetables in the respective containers for the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Southern Virginia and that part of Louisiana lying east of the Mississippi River which states comprise the Southern producing area.

In addition to stabilizing the estimated weights in the Southeastern producing area the Florida carriers propose to reduce the effective rates concurrently with the effective date of the revised estimated weights as follows:

- (a). Reduction of approximately 15 per cent in the rates on all vegetables to the territory roughly described as east of the Rocky Mountains.
- (b). Reduction of approximately 20 per cent in the present rates on celery.

- (c). A much greater reduction than 15 per cent in the rates on both green corn and cauliflower.

This Commission delegated Mr. Fred Pettijohn, its Accountant, to attend and represent it in the hearings with respect to the revisions in weights and rates on shipments from Florida. The Commission and the Growers and Shippers League of Florida, decided to interpose no objection to the revision of estimated weights to such amounts as are warranted by the test weights in the Southeastern producing area but vigorously protested the establishment of any weight based upon the weighing in Southern and other producing areas. The reasons for not opposing the revision of estimated weights on vegetables from Florida were (first) because the revised weights increased but very little the presently effective weights established for Florida in a prior decision; (second) to place Florida growers and shippers on a parity with the other Southeastern growers and shippers as to billing weights in the same container; and (third) because the proposed reductions in rates when applied to the revised weights will not on the whole traffic substantially increase the resulting per car charges on vegetables.

We do not concede that the resulting charges will be just and reasonable with respect to each and every vegetable, and have reserved for later consideration in another proceeding, if deemed necessary, the lawfulness of such resulting per car charges, but in order to reduce the extent of the issues to be determined in this proceeding and to remove the discrimination in weights that have heretofore obtained in all producing areas and especially in Southern territory, we have concurred in general, objecting only to such proposed weights as we deemed not warranted, to the carrier's proposals.

This case was briefed on February 15th, 1940, after which a proposed report by the Examiner will be issued, exceptions and answer to exceptions made and argument before the Interstate Commerce Commission held.

PUBLICATION OF MOTOR TRUCK RATES

As detailed in the 42nd Annual Report, the Commission took over the publication of common carrier motor truck rates and issued Florida Motor Freight Tariff No. 2, which is still in effect, with 7 effective supplements.

Motor carrier operators have petitioned the Commission for authority to have this tariff published and issued by the Florida Intra-state Rate Bureau, a bureau organized and operated by the common carrier motor freight operators in Florida.

The Commissioners have decided to authorize this change after a proper tariff has been submitted to the Commission and checked and approved by formal Order.

At the present time Florida Motor Freight Tariff No. 2 provides that Exceptions No. 2 to National Motor Freight Classification, South, J. R. Shumate's MF-ICC No. 133 be applied in connection therewith.

Experience has shown that so long as these Exceptions are published by a publishing Agent having his headquarters in Atlanta, Ga., it is practically impossible for this Commission to police them, and it has been decided that when the Florida Intrastate Rate Bureau takes over the publication of the Florida Motor Freight Tariff, that Bureau also be required to publish Florida Exceptions to National Motor Freight Classification, South. This action will give the Florida Railroad Commission more complete control over Florida intrastate motor vehicle freight rates, and will react to the benefit of shippers, carriers and this Commission alike.

SOUTHERN COMMODITIES RATE CASE

Complainants in this case are the eight Southeastern States of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee.

The complaint in this proceeding, as amended, alleges that the rates on numerous commodities listed therein from points in Southern territory to points in Official territory are unjust and unreasonable, in violation of Section 1 of the Interstate Commerce Act and unjustly discriminatory and unduly prejudicial and preferential, in violation of Sections 2 and 3 of the Act. It was also alleged that the rates assailed are not in conformity with the principles announced in Section 15a, paragraph 2 of the Act, as amended, and that they are in violation of the Anti-Trust laws of the United States.

Under date of March 28, 1938 the Florida Railroad Commission formally intervened in the proceeding, and prayed that it be treated as a party thereto, with the right to have notice of and appear at the taking of testimony, produce and cross examine witnesses, and to be heard in person or by Counsel upon brief, and at the oral argument, if oral argument is granted.

Hearings began in Birmingham, Ala., on April 12, 1938, and lasted the better part of a week. At the Birmingham hearing, which was before Interstate Commerce Commissioner Lee and Examiners Mattingly and Corcoran, the Southern States, parties to the complaint, Southern Railroad Commissions, traffic experts of corporations and individuals were given a full hearing. Many of the Southern representatives presented

exhibits and oral testimony in support of the complaint. The Florida Railroad Commission was represented at Birmingham by its Rate Expert, Mr. J. H. Tench.

The Birmingham hearing was adjourned, and it was later announced by the Interstate Commerce Commission that it would be resumed at Buffalo, N. Y. on July 12, 1938 for the purpose of hearing the interested rail carriers. However, just before the end of the Birmingham hearing it was arranged to allow Florida to present at Buffalo further exhibits and testimony relative to the resources of this State. This testimony was presented as follows:

State Conservation Commissioner, through Mr. Herman Gunter, State Geologist as to mineral resources.

Commissioner of Agriculture, through Mr. Frank H. Scruggs, Marketing News Specialist, as to the horticultural and agricultural resources of the State.

Rate Expert Tench, of the Commission, presented, through the courtesy of and with information furnished by Conservation Commissioner Dowling presented exhibits and testimony as to the sea food and shell fish resources of the State.

The Railroad Commission was represented at Buffalo by Hon. Jerry W. Carter, Chairman, Hon. T. T. Turnbull, and J. H. Tench, Rate Expert.

The State was also represented at Buffalo by Mr. Louis E. Staley, whose services in presenting testimony as to the Forest Products resources of the State were made available through the co-operation of Hon. Harry Lee Baker, of the Florida Forest and Park Service.

This Commission is grateful for the services rendered and the co-operation of Hon. Nathan Mayo, Secretary of Agriculture, Hon. R. L. Dowling, Conservation Commissioner, Hon. Harry Lee Baker, of the Florida Forest and Park Service. The help of these gentlemen made it possible for us to present a much better case in Buffalo than would otherwise have been possible.

The case has been briefed and argued and is now in the hands of the Interstate Commerce Commission for decision. If a favorable decision is rendered it will be of inestimable benefit to Florida and the South, as such action will be an entering wedge in breaking down a rate barrier from which we have always suffered.

Under date of November 22nd, 1939 the Interstate Commerce Commission released its decision in this proceeding, and its findings, briefly, were as follows:

"1. Rates on certain articles from points in southern territory to points in official territory found unreasonable to the extent they are upon levels higher than would result from application of approximately the same levels of rates as apply on similar traffic within official territory."

"2. Rates on certain articles from points in southern territory to points in official territory found unduly prejudicial to the extent they are upon levels higher than would result from application of approximately the same levels of rates as apply on similar traffic within official territory."

"3. Rates on certain other articles from points in southern territory to points in official territory found not shown to be unlawful."

"4. Proposed rates on soapstone and talc, in carloads, between southern and official territories found not justified. Suspended schedules ordered canceled and proceeding discontinued."

The commodities involved are as follows:

Coal and Wood Stoves, Heaters, etc.

Gas Stoves.

Stone, consisting of granite, marble and limestone.

Cast iron pipe fittings, L.C.L.

Iron body valves.

Fire hydrants.

Brass pipe fittings.

Brass Cocks and valves.

Soapstone and talc.

While the list of commodities involved is not a lengthy one, the principle enunciated in this decision, in the opinion of this Commission, marks a milestone in the history of southern rate adjustments. These principles will hold where shippers can show that they are being damaged on specific commodities, or where undue prejudice can be shown.

This is the first serious break in the rate wall that has surrounded the South for many years, and the Governors Conference and the various State Commissions are to be congratulated on the outcome.

Various Northern interests have asked for a rehearing or reconsideration of this proceeding, and the applications are now before the Interstate Commerce Commission for consideration. We have, of course, no way of knowing just what action the Interstate Commerce Commission will take.

PLASTER AND RELATED ARTICLES AND PLASTERBOARD

Effective March 25, 1939, this Commission, after exhaustive hearings, issued Order No. 1286 revising rates on Plaster and Related Articles and Plasterboard. We approved for application in Florida class 17½ on plaster and related articles, including gypsum lath, and class 22½ on plasterboard.

This was a general adjustment and our Order was made contingent upon the adoption of a similar adjustment by the Georgia Public Service Commission, applicable on Georgia intrastate traffic. This was done as a protection to the mill at Jacksonville, Florida.

The Georgia Commission declined to make a similar adjustment of the Georgia rates, and by Order No. 1289, supplemental to Order No. 1286 this Commission ordered that the adjustment become effective in Florida on May 12, 1939.

By schedules filed to become effective May 29, 1939 southern carriers proposed to establish on interstate traffic reduced rates on Gypsum Lath, C.L., made 17½ per cent of the first class rates concurrently in effect. Prior thereto the rates on gypsum lath were made on basis of the plasterboard rates, or 22½ per cent of 1st class.

Upon the protests of industries having plants in official, western trunk-line and southwestern territories, the proposed rates on gypsum lath were suspended and the matter was set down for hearing.

Hearing was begun in October, 1939 at Chicago, Ill., before Examiner H. W. Archer. Mr. J. H. Tench, Rate Expert of the Commission appeared at the hearing for the Florida Railroad Commission as intervenor in behalf of respondents, and testified in their behalf.

The Interstate Commerce Commission closely followed the proposed report of Examiner Archer and found as follows:

"Proposed reduced rates on gypsum lath, in carloads, between points in southern territory, found justified. Orders of suspension vacated and proceedings discontinued.

EX PARTE 123.

In the proceeding known as Ex Parte 123 rail carriers petitioned the Interstate Commerce Commission for authority to make a general increase in freight rates. The proposal was for an approximate increase of 15%. On citrus the proposal was for an increase of 15% with a minimum of 15c. While this Commission felt and found that the rail carriers, because of their financial condition were entitled to some increase on general traffic, they did not feel that an increase of 15% on

citrus could be justified, inasmuch as the citrus growers were in just as bad a financial condition as the carriers.

Consequently, the Florida Commission joined with the Growers & Shipper League in a strong fight against the imposition of a 15% increase in the rates on citrus. Hearings were held in New Orleans, La., and Washington, D. C. Chairman E. S. Matthews and Accountant Pettijohn attended the New Orleans hearing and Mr. Pettijohn also attended the hearing in Washington.

The result of this fight was that instead of allowing a 15% increase on citrus the Interstate Commerce Commission authorized a 5% increase. The imposition of a 15% increase in the rates on citrus would have been disastrous to the growers, and the result would have been felt in all lines of business in Florida. It is estimated that an increase of 15% on the citrus crop of Florida would have amounted to \$3,000,000, whereas, under the 5% figure the increase approximated \$1,000,000, a saving to the Florida growers in the neighborhood of \$2,000,000.00.

The Florida Railroad Commission and the Growers and Shippers League of Florida are gratified at the result of their fight against an increase of 15% on citrus.

SOUTHERN CLASS RATES

Since the decision of the Interstate Commerce Commission in the commodities rate case, referred to above, the Southern Governor's Conference and the Southern State Railroad Commissions have decided to go ahead with the attack on class rates between the South and the North. Mr. J. Van Norman, of Louisville, Ky., has been retained as Counsel for the prosecution of this case. Committees have been appointed and a movement is under way for the procurement of the necessary funds.

SOUTHERN LIVE STOCK CASE

In the Fall of 1939 The Eastern Meat Packers Association, et. al., and Swift & Company, et. al., filed a complaint with the Interstate Commerce Commission which placed in issue the rates on Live Stock, including hogs, from origin points in Florida and other southern states to points in the north and east. The Florida Railroad Commission immediately intervened in this proceeding.

Numerous conferences have been held at Nashville, Tennessee, Columbia, S. C., and Atlanta, Ga., relative to these rates. The conferences were attended by Rate Expert Tench of this Commission, representatives of other Southern State Commission, numerous southern live stock producers associations and Mr. A. D. Johnson, of the Live Stock and Wool Rate Unit of the U. S. Department of Agriculture.

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This Commission desires to publicly acknowledge the full co-operation in this proceeding extended by Hon. Henry A. Wallace, Secretary, U. S. Department of Agriculture, and to the invaluable assistance rendered by Mr. A. S. Johnson, of the Department. Mr. Johnson has attended all of the conferences on this subject between southern state Commissions and in addition has attended numerous conferences of live stock producers associations. Mr. Johnson is thoroughly versed in live stock rates, rules and practices, and his services have been of great help to the live stock interests of the south.

At the conference in Columbia, S. C. on January 15 the following steering committee was appointed to make arrangements for the prosecution of this proceeding:

- Mr. H. M. Nicholson, Ass't. Director of Traffic, North Carolina Utilities Commission.
- Mr. H. W. Scott, Commissioner, South Carolina Public Service Commission.
- Mr. H. E. Ketner, Commerce Counsel, Virginia Corporation Commission.
- Mr. Walter R. McDonald, Georgia Public Service Commission. Chairman.
- Mr. Hugh White, President, Alabama Public Service Commission.
- Mr. Porter Dunlap, Chairman, Tennessee Public Utilities Commission.
- Mr. J. H. Tench, Rate Expert, Florida Railroad Commission.

Early in the discussions it became necessary that the case brought by the Eastern Meat Packers Association be materially broadened to meet the needs of southern live stock producers. That could only be done by the filing of a formal complaint, which has been done.

Rail carriers have failed, and still fail, to publish and maintain reasonable joint through rates, or any joint through rates for the movement of live stock, in carloads, from the south to destinations named in the complaint. The maintenance of unreasonable combination rates results in excessive charges.

The South is developing rapidly as a producer of live stock, and a comprehensive, intense movement is under way to greatly expand the same to conform to the United States Government program of soil conservation and crop diversification. It is essential that the live stock producers and shippers in the South have available to them just and reasonable joint through rates on live stock from all points in the West to points in the South, and from the West to the East through the South, as well as from the South to the East. There is a consider-

able movement of live stock from points in the West to the South, and from the West to points in the East via routes through the South and from the South to the East, which would be materially increased under reasonable rates and practices, and it is essential that there should apply on said movements just and reasonable joint through rates, with through routes, such as will permit of the free movement of live stock between these territories.

The defendant rail carriers do not provide in their tariffs published and on file with the Interstate Commerce Commission uniform rules, regulations, practices, mixtures, privileges and transit arrangements governing the movement of live stock in connection with the rates complained of, and in order to successfully build up the livestock business in the South it is necessary that the southern producers, feeders and shippers of such livestock be accorded as liberal rules, mixtures, minimum weights, transit privileges, practices and regulations as are now in force and effect in competing territories, and over competing routes not traversing southern territory.

Certain of the rail carriers in the South publish, maintain and assess charges for bedding cars for the movement of livestock originating in the South, which are unjust and unreasonable, in violation of Section 1 of the Interstate Commerce Act.

The defendant rail carriers named in the complaint do not at the present time maintain a uniform basis of rates applicable to the movement of stocker and feeder livestock from and to points involved in the complaint on a basis less than the rates applicable to the movement of ordinary or finished livestock. It is essential to the livestock industry in the South that there be prescribed for application to the movement of stocker and feeder livestock, rates and minimum weights less than those which would be reasonable for the movement of ordinary or finished livestock between the same points.

The steering committee is negotiating with Mr. H. D. Driscoll, of Washington, D. C., to secure his services as chief Counsel in the prosecution of the case before the Interstate Commerce Commission. Mr. Driscoll is a Commerce Attorney who is particularly well versed in livestock rates rules and practices.

Florida is rapidly forging to the front as a producer of livestock and it is highly important that we be put upon an even basis with our competitors as to rates, rules, regulations and practices.

In the opinion of the Commissioners this is an extremely important case to the people of Florida.

RATES ON GASOLINE AND KEROSENE

By his Florida Intrastate Application No. 107, Mr. F. D. Miller, Agent, filed with this Commission on January 18, 1939 on behalf of all rail carriers participating in routes published in connection with rates on Gasoline, Kerosene and Fuel Oil, in carloads from Jacksonville, Panama City, Pensacola and St. Marks, Florida to points of destination in Florida having tank facilities for the handling of bulk petroleum products, as shown in Exhibit "A" attached thereto.

The proposal involved an approximate reduction of 15% in the rates on gasoline and kerosene.

Considerable opposition developed to the proposal, due to the fact that it only applied from and to points in North and West Florida, and did not apply from Jacksonville, south, and from Tampa north. During the course of the hearing representatives of applicants stated that they would file an additional application proposing similar rates from Jacksonville southbound and from Tampa northbound.

Strong opposition also developed from certain Oil Companies, who were handling the commodities involved by private or contract tank trucks and by company owned and operated tank trucks.

Although St. Marks, Florida was included as one of the points of origin, the fact is that the Seaboard Air Line Railway has no rail service into St. Marks. Service on the St. Marks branch of the Seaboard to St. Marks was abandoned some three years ago under authority of the Interstate Commerce Commission. We understand now, however, that the Seaboard has been authorized to re-establish service into that point.

The reduced rates were approved by this Commission, and they are now in effect, not only from points in north and west Florida, Jacksonville to Panama City, Fla., inclusive, but they are also in effect from Jacksonville, southbound, and from Tampa, northbound.

This was a case, the first in the history of this Commission, where rail lines were undertaking to reduce their rates and the reduction was opposed, not only by the private and contract trucks, but by most of the Oil Companies themselves.

General Orders

ORDER NO. 1286,

DOCKET NO. 1386.

IN THE MATTER OF APPLICATION NO. 195 OF CHAIRMAN J. G. KERR ON BEHALF OF ALL RAIL CARRIERS IN FLORIDA FOR REVISION OF RATES ON PLASTER AND RELATED ARTICLES AND PLASTERBOARD, C. L., AND MIXING RULES AND CARLOAD MINIMUM WEIGHT ON SAME.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Pursuant to Traffic Notice No. 46, issued January 31st, 1939, the above matters came on for hearing before the Railroad Commissioners of the State of Florida, at the Roosevelt Hotel in Jacksonville, Florida, at 9 o'clock, A. M., on February 16th, 1939, and then and there appeared the following:

R. G. Hodgkin, A.F.T.M., Atlantic Coast Line Railroad; H. P. Toxey, Seaboard Air Line Railway, and R. K. Parsons, of the Florida East Coast Railway, for the applicant.

J. W. White, Atlanta, Ga., and J. P. Bradley for the U. S. Phosphoric Products Company; F. C. Hillyer and T. C. Maurer, for the Jacksonville Traffic Bureau and the U. S. Gypsum Company; Gordon E. Riley, for the U. S. Gypsum Co.; W. W. Collin, Jr., and R. F. Mackrell, for the National Gypsum Company; J. H. M. Mabey, for Mathison Alkali Works, and George B. Cromwell, for Certain-teed Products Corporation.

All who desired to be heard were fully heard, under oath.

Chairman Kerr's Application No. 195 seeks authority to cancel all existing commodity rates and classification exceptions on Plaster and related articles, and Plasterboard, C.L., applying between points in Florida (except truck or water competitive rates from East Tampa and Jacksonville, Fla., to Miami, Fla) and to establish in lieu thereof the following:

PROPOSED RATES

To apply on Plaster and related articles, as described in lists 1, 2 and 3 of exhibit A attached to the application, rates made on basis of Class 17½, and on Plasterboard, as described in list 4, rates made on basis of Class 22½, subject to the mixed carload provisions contained in said exhibit A. The proposed bases of rates are *not to include the Florida Peninsula (L-2) arbitraries.*

Chairman Kerr's proposal was supported by the Jacksonville Traffic Bureau, the U. S. Gypsum Company, the National Gypsum Company

and the Mathison Alkali Works. It was opposed by the U. S. Phosphoric Products Corporation, with a plant at East Tampa, Fla., and by the Certain-teed Products Corporation, with plants in Kansas, Texas, Iowa, Michigan and New York.

The present rates on Plaster between points in Florida are on basis of the Cement rates, without the Florida arbitraries, with a carload minimum weight of 50,000 pounds. Complaint has been made to this Commission that a 50,000 pounds minimum is too high, and retards free movement, especially to the smaller cities. The proposal here would reduce the carload minimum weight to 40,000 pounds.

The Commissioners having considered all of the testimony introduced in this proceeding, and being fully advised in the premises, it is FOUND:

That the interests of all concerned would be served by the adoption of Chairman Kerr's Application No. 195, including Exhibits A, B and C, attached thereto and made a part thereof.

It is therefore ORDERED that Chairman J. G. Kerr's Florida Intrastate Application No. 195, dated January 24, 1939, seeking authority to apply on Plaster and related articles, as described in lists 1, 2 and 3 of Exhibit A attached to the Application, rates made on basis of Class 17½, and on Plasterboard as described in list 4, rates made on basis of Class 22½, subject to the mixed carload provisions contained in said Exhibit A, the rates petitioned for *not to include the Florida Peninsula (L-2) arbitraries*, and seeking authority to cancel all existing commodity rates and classification exceptions on Plaster and related Articles and Plasterboard, C.L., applying between points in Florida (except truck or water competitive rates from East Tampa and Jacksonville, Fla., to Miami, Fla.), and to reduce the carload minimum weight on Plaster and related articles, between points in Florida, is hereby approved for adoption to Florida intrastate traffic, subject to the following:

It is further ORDERED that this Order shall take effect if and when the Georgia Public Service Commission adopts and approves for application to intrastate traffic in the State of Georgia Chairman J. G. Kerr's Georgia Intrastate Application No. 229, dated Atlanta, Ga., January 24, 1939, titled "Plaster and related Articles and Plasterboard between points in the State of Georgia," and not before.

DONE and ORDERED by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 25th day of March, 1939.

ORDER NO. 1287,**DOCKET NO. 1387.**

IN THE MATTER OF THE APPLICATIONS OF CERTAIN RAIL CARRIERS IN FLORIDA FOR AUTHORITY TO REDUCE PRESENT RATES ON PETROLEUM AND PETROLEUM PRODUCTS, IN TANK CARS, BETWEEN POINTS IN FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

By his Florida Intrastate Application No. 107, F. D. Miller, Agent, filed with this Commission on January 18th, 1939, on behalf of all Rail carriers participating in routes published in connection with rates on Gasoline, Kerosene and Fuel Oil, in carloads from Jacksonville, Panama City, Pensacola and St. Marks, Florida, to points of destination in Florida having tank facilities for the handling of bulk petroleum products, as shown in Exhibit "A" attached thereto.

Pursuant to Traffic Notice No. 46, issued January 31, 1939, this matter came on for hearing before the Railroad Commissioners of the State of Florida at the Roosevelt Hotel, in the City of Jacksonville, Florida, at 2 o'clock, P. M., on February 13th, 1939, and then and there appeared the following:

For the Applicants: H. P. Toxey, S.A.L. Ry: Mr. A. G. Kane, S.A.L. Ry: Mr. L. A. Kienzle and Mr. T. F. Proctor for the A.C.L. R.R.: H. H. Simms, for the A.&St.A.B. Ry.

For the Protestants: Mr. Martin Sack, for the Petroleum Carriers Corporation; Mr. R. H. Maupin, for the American Oil Company.

At the hearing it developed that the proposed rates were based upon an unpublished scale, referred to by the carriers as the "Truck Competitive Scale," a copy of which is in the record of the Commissioners in this case.

Considerable opposition to the proposal developed, due to the fact that it only applied from and to points in North and West Florida, and did not apply from Jacksonville South, and from Tampa North. During the course of the hearing representatives of Applicants stated that they would file an additional application proposing similar rates from Jacksonville Southbound and from Tampa Northbound.

Strong opposition also developed from certain Oil Companies, who were handling the commodities involved by private or contract tank trucks, and by the operators of tank trucks.

In line with the agreement, Chairman J. G. Kerr, filed with the Commission on April 3rd, 1939, his Florida Intrastate Application No. 198 on behalf of the following rail carriers:

Atlantic Coast Line Railroad Company.
Fort Myers Southern Railroad Company.
Georgia, Southern & Florida Railway Company.
Jacksonville, Gainesville & Gulf Railway.
Live Oak, Perry & Gulf Railroad Company.
Seaboard Air Line Railway Company.
Tampa Southern Railway Company.
Tavares & Gulf Railroad Company.

This Application proposes the same relative rates, based on the "Truck Competitive Scale," referred to above, from Jacksonville Southbound, and from Tampa and Port Tampa, Florida North and Southbound, except that the proposed rates will not apply to Seaboard Air Line Railway stations South of Sebring, Florida.

Under date of April 12th, Chairman Kerr submitted his Amendment No. 1, corrected, to his Florida Intrastate Application No. 198, eliminating from the original Application Boca Grande and South Boca Grande as points of destination on shipments from Jacksonville, Tampa and Port Tampa, Florida.

These matters now on this date coming on for formal and final consideration and the Commissioners having carefully considered all of the evidence introduced at said hearing, and being fully advised in the premises, it is FOUND as follows:

It is FOUND that the rail carriers handling intrastate traffic on the commodities in question have justified Agent F. D. Millers' Florida Intrastate Application No. 107 for the movement of petroleum products, in tank cars, from the ports of Jacksonville, Panama City, Pensacola and St. Marks, Florida, to points in Florida on and North of the line of the Seaboard Air Line Railway from Jacksonville to River Junction, Florida.

It is further FOUND that the rail carriers handling intrastate shipments of Petroleum Products, in tank cars, from Jacksonville, Florida to stations in Florida South of the line of the Seaboard Air Line Railway, Jacksonville to River Junction, Florida and east of the Apalachicola River, at which points there are bulk tank facilities, except that proposed reduced rates will not apply from Jacksonville, Fla., to Seaboard Air Line Railway stations south of Sebring, Fla., and except that the proposed reduced rates will not apply to Boca Grande and South Boca Grande, Fla., as destination points, have justified Chairman Kerr's Application No. 198, as made.

It is further FOUND THAT petitioning Rail Carriers have justified Chairman Kerr's Intrastate Application No. 198, as amended and corrected, covering reduced rates on Petroleum Products, in tank cars, from Tampa and Port Tampa, Florida, to stations in Florida located on the

rail carriers named above, at which there are bulk tank facilities, except that the proposed revision will not apply from Tampa and Port Tampa, Florida, to Seaboard Air Line Railway Stations south of Sebring, Florida, and except that the proposed revision will not apply to Boca Grande and South Boca Grande, Florida, as destination points.

The Seaboard Air Line Railway has no rail service into St. Marks, Florida at the present time. We understand, however, that application has been made to the Interstate Commerce Commission to re-establish the line into that point. The rates as applied for may be published from St. Marks, Florida, if and when rail service is established to that point.

It is therefore ORDERED that Agent F. D. Miller's Florida Intra-state Application No. 107, as detailed above, be, and it is hereby approved.

It is further ORDERED that Chairman J. G. Kerr's Florida Intra-state Application, as detailed above, be, and it is hereby approved.

A copy of the "Truck Competitive Scale," referred to above, and on which the proposed rates are based, is attached to and made a part of this Order.

It is further ORDERED that the rates authorized herein may be published on five day's notice to this Commission and to the public.

DONE and ORDERED by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 12th day of April, 1939.

Relief of Freight Rule 2 and the long and short haul law is granted.

TRUCK COMPETITIVE PETROLEUM PRODUCTS SCALE.
IN TANK CARS.
RATES IN CENTS PER 100 POUNDS.

Miles.	Revised Scale.	Miles.	Revised Scale.
5	5	160	16
10	5	170	17
15	5	180	18
20	5	190	19
25	5	200	20
30	5	210	21
35	5	220	22
40	5	230	23
45	5	240	24
50	5	250	25

55	6	260	26
60	6	270	27
65	7	280	28
70	7	290	29
75	8	300	30
80	8	310	31
85	9	320	32
90	9	330	33
95	10	340	35
100	10	350	37
110	11	360	39
120	12	370	41
130	13		
140	14		
150	15		

ORDER NO. 1288,

DOCKET NO. 1344.

IN THE MATTER OF THE APPLICATION OF THE RAILWAY EXPRESS AGENCY FOR AUTHORITY TO REVISE ITS INTRASTATE RATES AND TO MAKE OTHER CHANGES IN ITS RATE STRUCTURE IN FLORIDA CORRESPONDING TO THOSE INCREASES AND CHANGES ALLOWED BY THE INTERSTATE COMMERCE COMMISSION ON INTERSTATE TRAFFIC UNDER EX PARTE NO. 126.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Pursuant to Notice No. 753, issued March 27, 1939, the above matters came on for hearing before the Railroad Commissioners of the State of Florida at the Seminole Hotel, in the City of Jacksonville, Florida, at 10 o'clock, A. M., April 10th, 1939, and then and there appeared the following:

Mr. Blair Foster, Atlanta, Ga.; Mr. C. B. Williams, S.T.M.; Mr. J. E. Skaggs, Ass't to V.P.; Mr. S. F. Knowles, G.M.; Mr. R. K. Smith, Sup't; Mr. S. D. Slainton, G.A.; Mr. J. R. Hunter, for the Applicant.

Mr. F. D. Fant, Jacksonville Fish Co.; Mr. A. J. Robida, Secretary, Fish Producers of Florida; Mr. E. J. Ard, Cocoa, Fla.; Mr. C. R. Crenshaw, T.M.; Growers & Shippers League of Florida; Mr. Walter Hawkins, Jacksonville, Fla.; Mr. F. C. Hillyer, Counsel, and Mr. T. C. Maurer, T.M., Jacksonville Traffic Bureau, for protestants.

By Application dated March 2nd, 1939, the Railway Express Agency seeks authority to increase its Florida intrastate rates and charges and make other changes in its rate structure in Florida equal and corresponding to those increases and changes which have been authorized or directed by the Interstate Commerce Commission in Ex Parte No. 126.

No objection developed at the hearing to the proposal of the Railway Express Agency except as to the increases proposed on Citrus Fruit, Vegetables and Sea Foods. Increases on these three groups were vigorously opposed by the shippers who were present at the hearing.

All parties who desired to be heard were fully heard, under oath.

And now on this date, the above matter coming on for final and formal consideration, and the Commissioners being advised in the premises it is ORDERED.

That the Application of the Railway Express Agency seeking to adopt for intrastate application in Florida the same increases in its rates and charges and to make other changes in its intrastate rate structure as were authorized by the Interstate Commerce Commission on interstate traffic in Ex Parte No. 126, is APPROVED, except as to the increases proposed on CITRUS FRUIT, VEGETABLES and SEA-FOODS, decision as to those commodities being taken under advisement, for further consideration.

Changes authorized herein may be made effective on April 15th, 1939.

DONE and ORDERED by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 11th day of April, 1939.

ORDER NO. 1289, Supplemental, to Order No. 1286,

DOCKET NO. 1386.

IN THE MATTER OF APPLICATION NO. 195 OF CHAIRMAN J. G. KERR ON BEHALF OF ALL RAIL CARRIERS IN FLORIDA FOR REVISION OF RATES ON PLASTER AND RELATED ARTICLES AND PLASTERBOARD, C. L., AND MIXING RULES AND CARLOAD MINIMUM WEIGHTS ON SAME.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Under date of March 25th, 1939, this Commission issued Order No. 1286 in the above matters, in which the Ordering clause read as follows:

"It is further ORDERED that this Order shall take effect if and when the Georgia Public Service Commission adopts and approves for application to intrastate traffic in the State of Georgia Chairman J. G.

Kerr's Georgia Intrastate Application No. 229, dated Atlanta, Ga., January 24, 1939, titled "Plaster and related articles and Plasterboard between points in the State of Georgia, and not before."

Under date of April 10th, 1939 the Georgia Public Service Commission issued its Order-Docket 5023-A, in which that Commission declined to approve Chairman J. G. Kerr's Georgia Intrastate Application No. 229 on Plaster and related articles and Plasterboard between points in Georgia.

It is therefore ORDERED that the Ordering clause in our Order No. 1286, quoted above, be and it is hereby canceled.

It is further ORDERED that Order No. 1286, as Supplemented and changed shall take effect on Florida Intrastate traffic on May 12th, 1939, or within 10 days thereafter.

DONE and ORDERED by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 19th day of April, 1939.

ORDER NO. 1290,

DOCKET NO. 1368.

IN THE MATTER OF THE APPLICATION OF THE LOUISVILLE & NASHVILLE RAILROAD FOR AUTHORITY TO REDUCE ITS PASSENGER FARES ON ITS BRANCH LINE RUNNING BETWEEN ESTO, FLORIDA AND GRACEVILLE, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Mr. W. I. Lightfoot, General Passenger Agent of the Louisville & Nashville Railroad, on behalf of that Railroad, filed his Application No. 4, on April 13th, 1939, for authority to establish, for an experimental period of three months, on its line running from Esto, Florida to Graceville, Florida, the following reduced Passenger fares, valid for transportation in coaches only:

One way fares, approximately one cent per mile.

Tickets to be sold daily during the experimental period, May 1, 1939, to and including July 31, 1939, and limited to one day in addition to the date of sale.

Round trip coach tickets to be sold at double the one-way experimental coach fares and limited to fifteen days in addition to date of sale.

Minimum adult fare 10 cents.

The Commissioners being fully advised in the premises, and having fully considered the reasons of the Louisville & Nashville Railroad to publish these experimental fares,

It is therefore ORDERED that Application No. 4 of the Louisville & Nashville Railroad seeking authority to reduce its passenger fares, in coaches, on its line running from Esto, Fla., to Gaceville, Florida, as outlined above, be, and it is hereby APPROVED, and the experimental fares may be published as asked for, from May 1st, 1939 to and including July 31st, 1939.

DONE and ORDERED by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 19th day of April, 1939.

ORDER NO. 1291. Supplementing Order No. 1248.

DOCKET NO. 1308.

IN THE MATTER OF THE APPLICATION OF RAIL CARRIERS FOR
AUTHORITY TO INCREASE INTRASTATE FREIGHT RATES AND
CHARGES ON CEMENT, C.L., BETWEEN POINTS IN FLORIDA.
BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

This matter came on for hearing before the Railroad Commissioners of the State of Florida at Jacksonville, Florida on May 10, 1938, and was disposed of by Order No. 1248, dated May 25, 1938, in which the application of Rail carriers for an increase in the rates on Cement, C.L., between points in Florida, similar to the increases allowed by the Interstate Commerce Commission on interstate traffic under Ex Parte 115 and 123, was denied.

This application was denied for the following reasons:

Rail carriers are applying on Cement, C.L., from Tampa, Florida to points in Peninsula Florida, south of the line of the Seaboard Air Line from Jacksonville to River Junction, Fla., rates made on basis of the Southern Cement scale, plus the Florida arbitrary, which is proper under the Orders of the Interstate Commerce Commission, as the rates from interstate points to that territory are made on the same basis.

However, Rail carriers are publishing on Cement, C.L., from Tampa, Florida to points on and north of said Jacksonville-River Junction line, rates based on the Southern Cement scale, plus the Florida arbitraries, while at the same time publishing rates from interstate points and from Jacksonville, Florida to the same territory, rates made on basis of the Standard Southern Cement scale, without the addition of the Florida arbitraries.

This shuts out the Tampa plant from doing business in the northern portion of its own State, or requires it to make an unreasonable absorption in order to reach that territory.

This matter now coming on for further consideration by this Commission under Chairman J. G. Kerr's Florida Intrastate Application No. 197, and the Commissioners being advised in the premises, it is

ORDERED that when Florida carriers revise present rates on Cement, C.L., from Tampa, Florida to points on and north of the Jacksonville-River Junction line of the Seaboard Air Line Railway, by publishing rates on Cement, C.L., from Tampa, Florida to those points on basis of the Southern Cement Scale, without the addition of the Florida arbitraries, so that the Tampa Mill will be on a parity with interstate mills and Jacksonville, Fla., shippers into said territory, said Florida Rail carriers are hereby authorized to apply, to Cement, C.L., between points in Florida, an increase of 10%, with a minimum increase of 1c per hundred pounds.

Necessary relief of Rule 2 and the Florida Long and Short Haul Law is hereby extended.

DONE and ORDERED by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 26th day of April, 1939.

ORDER NO. 1292. Supplemental to Order No. 1286.

IN THE MATTER OF APPLICATION NO. 195 OF CHAIRMAN J. G. KERR ON BEHALF OF ALL RAIL CARRIERS IN FLORIDA FOR REVISION OF INTRASTATE RATES ON PLASTER AND RELATED ARTICLES AND PLASTERBOARD, C.L., MIXING RULES AND CAR-LOAD MINIMUM WEIGHT ON SAME.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

In his Application No. 195, Chairman Kerr petitioned for the revision of all rates on Plaster and Related Articles and on Plasterboard, except truck or water competitive rates from East Tampa and Jacksonville, Florida, to Miami, Florida, and Order No. 1286 so provided.

The fact that Agent Pope's Tariff 251-K carried a water competitive rate of 94c per ton on Plaster, C.L., from Port Everglades Junction to Miami, Florida, was overlooked, and this rate should have been included in the exception referred to above.

It is therefore ORDERED that the Florida East Coast Railway and the Seaboard Air Line Railway, be, and they are hereby authorized to

continue in effect the rate of 94c cents per ton on PLASTER, C.L., from Port Everglades Junction, Fla., to Miami, Fla., until further notice.

DONE and ORDERED by the Railroad Commission of the State of Florida in session at their office in the City of Tallahassee, Florida, this 27th day of April, 1939.

ORDER NO. 1293,

DOCKET NO. 1379

IN RE: APPLICATION OF LOUISVILLE & NASHVILLE RAILROAD COMPANY TO DISCONTINUE ITS AGENCY AT HOLTS IN OKALOOSA COUNTY, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. The above application came on for formal hearing before the Railroad Commission of the State of Florida in Tallahassee, Florida, on March 29, 1939, pursuant to Notice No. 751 dated the 6th day of March, 1939.

J. E. D. Yonge of Pensacola appeared for applicant.

There were no other appearances.

2. This application seeks authority to discontinue the agency of the Louisville & Nashville Railroad Company at Holts, Florida, which is in Okaloosa County and on the line between Pensacola and River Junction, Florida. The applicant presented testimony and figures to show that the revenue derived from the operation of this agency during the past year has been insufficient to pay the cost of maintaining the agency. The figures show a net loss from operation of \$1,144.70 for the year ending August 31, 1938. It appears that there is very little less than carload traffic to handle for which an agent is needed and that most of the shippers in this area are carload shippers whose business can be satisfactorily handled without the services of an agent. The Commission is of opinion that the public does not need the continuance of this agency in view of the loss in its operation shown by the railroad.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of the Louisville & Nashville Railroad Company for authority to discontinue its agency at Holts, Florida, be and the same is hereby GRANTED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of May, 1939.

ORDER NO. 1294,**DOCKET NO. 1347**

IN RE: APPLICATION OF RECEIVERS OF SEABOARD AIR LINE RAILWAY COMPANY FOR AUTHORITY TO DISCONTINUE ITS AGENCY AT MT. PLEASANT, FLORIDA, AND TO MAKE THAT POINT A PREPAY STATION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application was originally set for hearing in Tallahassee, Florida, on July 26, 1938 pursuant to Notice No. 740 dated July 14, 1938. At the hearing the Commission upon motion of the applicant granted an indefinite continuance of the hearing. The applicant has now requested that the application be dismissed without prejudice.

WHEREFORE it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of Receivers of Seaboard Air Line Railway Company to discontinue its agency at Mount Pleasant, Florida, be and the same is hereby DISMISSED without prejudice to the applicant.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 1st day of May, 1939.

ORDER NO. 1295,**DOCKET NO. 1388.**

IN RE: APPLICATION OF THE ATLANTIC COAST LINE RAILROAD COMPANY FOR RELIEF FROM FREIGHT RULE NO. 2 OF THE RAILROAD COMMISSION AND THE FLORIDA LONG AND SHORT HAUL LAW TO PERMIT OF THE ESTABLISHMENT OF REDUCED RATES ON CRUSHED STONE C. L. FROM HAILE, FLORIDA, TO JASPER, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 754 dated April 20, 1939, this matter came on for formal hearing before the Railroad Commissioners at their Hearing Room, Supreme Court Building, Tallahassee, Florida, at 2:30 P. M., on Thursday, April 27, 1939. Then and there appeared the following:

R. J. Doss, Freight Traffic Manager for the applicant, Atlantic Coast Line Railroad Company.

J. Turner Butler for the Lime Rock Association appearing in behalf of the application.

Thos. D. Guthrie, Chas. A. Parrish and C. A. Parrish for Claussen-Lawrence Construction Company and Parrish & Company in opposition to the application.

Frank E. Harrison, Jr., for the State Road Department.

2. On April 4, 1939 the Atlantic Coast Line Railroad Company filed its application with this Commission for relief from Freight Rule No. 2 and the Long and Short Haul Law so that it might publish a rate of 70 cents per ton of 2,000 pounds on Crushed Stone C. L. from Haile, Florida, to Jasper, Florida, and for authority to publish this rate subject to an expiration date of December 31, 1939.

The published rate now in effect from Haile to Jasper is 100 cents per ton of 2,000 pounds. The State Road Department at the time this application was made contemplated paving seven and one-half miles of highway from Jasper to the Florida-Georgia State line. The appropriation for the purpose of constructing this road would not permit the use of rock (crushed stone) at the freight rate of 100 cents per ton of 2,000 pounds. The State Road Department, however, determined that if the freight rate on lime rock from Haile could be reduced from 100 cents per ton to 70 cents per ton the road could be built of rock, otherwise it would have to use a "mixed in place" type of paving. The Road Department advised the railroad to this effect and this gave rise to the present application.

3. Before final action on this application Mr. Chas. A. Parrish, Agent for the Claussen-Lawrence Construction Company and in behalf of Parrish & Company, protested the granting of this application on the ground that it owned a rock pit at a point on the Atlantic Coast Line Railroad between Haile and Jasper called Roxspur, and that it should be granted a proportional rate on lime rock shipped from this pit.

4. On April 11, 1939 the Atlantic Coast Line Railroad Company amended its application to provide for a rate of 70 cents per ton of 2,000 pounds from the rock pit at Roxspur. Mr. Parrish was not satisfied with this rate and contended that he should have a percentage reduction in his rate from Roxspur and asked that the matter be set down for hearing. The hearing has been held as heretofore mentioned.

5. The applicable portion of the Long and Short Haul Law is as follows:

"6730 (4644) That it shall be unlawful for any railroad company engaged in the business of common carriers of freight in the State of Florida, to charge or receive any greater compensation in the aggregate for the transportation of freight

of any nature for a shorter than for a longer distance over the same line route in the same direction, the shorter being included within the longer distance, or to charge any greater compensation as a through route than the aggregate of the intermediate rates, subject to the provisions of this section; but this shall not be construed as authorizing any common carrier, within the terms of this section, to charge or receive as great compensation for a shorter as for a longer distance; Provided, however, that upon application to the Railroad Commissioners such common carrier may in special cases, after investigation, be authorized by the Railroad Commissioners to charge less for a longer than for shorter distances, for the transportation of freight, and the Railroad Commissioners may, from time to time, prescribe the extent to which such designated common carrier may be relieved from the operation of this Section."

6. Freight Rule 2 of the Rules and Regulations of the Railroad Commission is as follows:

"MAXIMUM RATES MAY BE REDUCED

"2. The schedule of rates allowed and adopted by the Railroad Commissioners for each road are maximum rates, which shall not be transcended. They may, however, carry at less than the rates allowed and adopted, provided that if they carry for less for one person they shall, for the like service, under similar circumstances and conditions, carry for the same lessened rates for all persons except as mentioned hereafter; and if they adopt less freight rates for one station they shall make a reduction of the same per cent at all stations along the line of road, so as to make no unjust discriminations as against any person or locality. But when, at any point within this State, there are competing lines of transportation, any railroad company injuriously affected thereby may, at such connecting point, make rates below those allowed or adopted, to meet such competition without making a corresponding reduction along the line of road.

"The Commissioners may entertain application for temporary modification of so much of this rule as requires the general reduction of rates to all stations when made to any station, when in their judgment a local and temporary cause may justify such modification, as, for instance, epidemic, floods, droughts, storms or other exigencies."

7. There is a rock pit at Haile, Florida, on the line of the Atlantic Coast Line Railroad Company from which the State Road Department desires to use the rock with which to construct the road from Jasper to the Georgia State line. Haile is 80.6 miles from Jasper and the published rate is 100 cents per ton of 2,000 pounds on rock C. L. Parrish & Company have leased a lime rock pit 2.5 miles South of Branford on the Dupont-High Springs Division of the Atlantic Coast Line Railroad Company which lime rock pit is known as Roxspur or Beach and is located 42.1 miles from Jasper and is on the line of the Atlantic Coast Line Railroad between Haile and Jasper. The published rate on lime rock (crushed stone) C. L. from this pit is 80 cents per ton of 2,000 pounds. It is the contention of Parrish & Company that if the rate from Haile should be reduced from 100 cents per ton to 70 cents per ton the rate from its pit should be reduced proportionately, that is to say, from 80 cents per ton to 56 cents per ton. The rail carrier contends that if the rate is to be reduced proportionately at intermediate points between Haile and Jasper there would be no necessity for it to apply for relief of Rule 2, and of the Long and Short Haul Law. The rail carrier is willing to make the rate the same from Haile and from Roxspur but is not willing to put in a further reduced rate of 56 cents from Roxspur. It contends that there are certain transportation reasons that forbid a reduced rate less than 70 cents per ton.

8. The evidence discloses that the contract to construct the road was awarded by the State Road Department to Cornell-Young Company on April 13, 1939, and finally executed on April 22, 1939. A representative of this company testified that before submitting a bid on this road he was informed that the rate on rock from Haile would be 70 cents per ton. That he desired to use the rock from the rock pit at Haile and had entered into a contract to use said rock if the rail rate was 70 cents per ton. That he was bound to use rock from this pit so long as the rate was 70 cents per ton even though the rate from Roxspur was reduced to 56 cents per ton. He stated he did not know what his company would do if the rates on rock from Haile and Roxspur remained as at present, that is to say, if the application was denied. However, the testimony of the representative of the Road Department conclusively showed that the appropriation for the construction of the road was not sufficient to permit its building of rock unless the rate was reduced to 70 cents per ton.

9. There was some testimony presented for the purpose of showing that previous efforts had been made to mine rock from the pit at Roxspur but by reason of the impregnation of the rock with clay, and the expense necessary to rid the rock of this clay was so great, that the operation had always proven unsuccessful. This testimony was vehemently denied by a witness of Parrish & Company who now operate

this pit. The Commission makes no finding on this matter but it was evident that the contractor had been influenced by these facts and rather hesitated to purchase rock from this pit.

10. Parrish & Company contended that it would be an unjust discrimination against his plant to approve this application. That its plant was 42.1 miles South of Jasper and the plant at Haile was 80.6 miles, and the geographical location of its plant, therefore, required that its rates be lower than the rates from Haile. The rail carrier contends that this is a special case, is covered by the Long and Short Haul Law and Rule 2, and is not such discrimination as the statute forbids.

11. The exaction of as high rates for a shorter haul as for a longer haul over the same line in the same direction, the shorter haul being included in the longer, is itself a discrimination. Whether it is an unjust discrimination, and therefore illegal, is placed within the discretion of the Commission to determine. The burden is on the rail carrier to justify the exception to the rule and to shown such substantial dissimilarity of circumstances and conditions as would justify its application.

12. The Commission heard all of the testimony and has carefully considered the application and is of opinion that the granting of this application will work no injustice, and that such discrimination as is apparent on the face of the record is not an unjust discrimination such as the law forbids. It is patent from the testimony that the funds allocated to this road would not permit of its construction of rock unless the rail carrier had agreed to reduce the freight rate to 70 cents per ton. The State Road Department requested the rail line to reduce the rate to 70 cents per ton from Haile, Florida, in order to use the rock, as a better and more durable road can be built of rock than the "mixed in place" type which was originally proposed; this the rail carrier agreed to do and requested the Commission to grant it this authority; that with equal rates from both rock pits the contractor prefers rock from the pit at Haile, and even if the rate was reduced to 56 cents per ton from Roxspur the contractor would not use rock from this pit so long as he could get the rock from Haile at 70 cents per ton, and, therefore, Parrish & Company cannot be heard to complain that it would be damaged by the granting of the application. As no one will be injured by permitting the rate to become effective, and the contract has already been let with the understanding that the rate would be 70 cents per ton, the Commission holds this to be a SPECIAL case as described in the statute and comes within the exception to Rule 2, and justifies relief from said rule and from the Long and Short Haul Law.

WHEREFORE it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the amended ap-

plication of Atlantic Coast Line Railroad Company for relief from Freight Rule No. 2, and the Florida Long and Short Haul Law, so that it might publish a rate of 70 cents per ton of 2,000 pounds on Crushed Stone C. L. from Haile, Florida, and from Roxspur or Beach, Florida, to Jasper, Florida, be and the same is hereby APPROVED.

It is further ORDERED that the publication of said rates shall be subject to an expiration date of September 30, 1939.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 28th day of April, 1939.

ORDER NO. 1296. Amending Order No. 1292.

DOCKET NO. 1386.

IN THE MATTER OF APPLICATION NO. 195 OF CHAIRMAN J. G. KERR, ON BEHALF OF ALL RAIL CARRIERS IN FLORIDA FOR REVISION OF INTRASTATE RATES ON PLASTER AND RELATED ARTICLES AND PLASTERBOARD, C.L., MIXING RULES AND CARLOAD MINIMUM WEIGHT ON SAME.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

It is ORDERED that the third paragraph of Order No. 1292 be amended to read as follows:

"It is therefore ORDERED that the Florida East Coast Railway and the Seaboard Air Line Railway be, and they are hereby authorized to continue in effect the rate of 94 cents per ton on PLASTER and PLASTERBOARD, in straight or mixed carloads with LIME."

DONE and ORDERED by the Railroad Commission of the State of Florida in session at their office in the City of Tallahassee, Florida, this 10th day of May, 1939.

This Order shall be retroactive to April 27th, 1939.

ORDER NO 1297,

DOCKET NO. 1377.

IN RE: APPLICATION OF ATLANTIC COAST LINE RAILROAD
COMPANY TO CLOSE ITS STATION AT SEFFNER, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 750 dated February 28, 1939, this matter came on for formal hearing before the Railroad Commission at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on Wednesday, March 16, 1939 at 10 o'clock A. M.

E. B. Rush, Superintendent Tampa, appeared for the applicant.

No one appeared protesting the application.

2. From the revenue statement filed by the applicant it appears that the gross receipts at this station for the twelve months period beginning December 1st, 1937 and ending November 30, 1938 were—Freight \$2256.54 and Passenger \$260.45. That the net revenue accruing to the railroad for the same period was \$1930.49 for freight and passenger \$260.45. That the principal expense is the agent's salary of \$139.36 per month or \$1672.32 per annum. That the agency is now closed between June 15th and January 18th of each year and the applicant desires to close it permanently. Seffner is eleven miles from Tampa on the line between Tampa and Jacksonville. It is three miles from Dover which is the first station north, and that in the event of the closing of the station Dover will be the governing station for Seffner. In other words, the railroad proposes to handle all carload shipments from Seffner through Dover. If a carload shipment is to be made from Seffner the conductor will give the shipper a bill of lading and he may, if he desires, exchange this conductor's bill of lading for a regular bill of lading at the governing agency.

3. The Railroad Commission has carefully considered the evidence in this case and is of opinion that the application should be granted.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Atlantic Coast Line Railroad Company to permanently close its agency at Seffner, Florida, be and the same is hereby **GRANTED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of April, 1939.

ORDER NO. 1298,**DOCKET NO. 1342.**

IN RE: APPLICATION OF ATLANTIC COAST LINE RAILROAD COMPANY TO DISCONTINUE TRAIN SERVICE BETWEEN NAPLES AND COLLIER CITY ON ITS LINE OF RAILROAD OPERATING FROM FORT MYERS TO COLLIER CITY EXCEPT FOR HANDLING CARLOAD SHIPMENTS AS AND WHEN NECESSARY.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1256 dated July 22, 1938, application of Atlantic Coast Line Railroad Company to discontinue its regular mixed train service between Fort Myers and Collier City was dismissed by the Commission on the ground that the railroad company was operating over this line the minimum service allowed by the statute, that is to say, one mixed train each way daily except Sunday.

2. The applicant railroad company has now filed its petition to reopen this proceeding and is asking for authority to discontinue the train service between Naples and Collier City, Belle Meade and Collier City being the last two stations on this line, except for handling carload shipments as and when necessary but to continue to operate daily except Sunday between Fort Myers and Naples, Florida.

3. The applicant has filed with this Commission a statement showing the gross revenue received from handling freight and passengers to and from Belle Meade and Collier City. The freight revenue is based on actual figures for the first six months in 1939 and shows that the revenue from less carload freight forwarded averaged 71c per month from Belle Meade and \$7.81 from Collier City, and that the revenue from freight receive less carload from Belle Meade was \$1.82 and from Collier City \$75.56 and revenue from carload freight received at Collier City was \$135.32. The passenger revenue is based on the records of the company for the year from July 1938 to June 1939, and shows that the average passenger revenue from Belle Meade per month was 51c and the average revenue per month from passengers at Collier City was \$5.85.

4. The record of the hearing upon which Order No. 1256 was based showed that the company was operating the entire line at a considerable loss. The company will continue to operate the line from Fort Myers to Naples on a daily except Sunday schedule but desires to reduce the loss as much as possible by discontinuing train service between Naples and Collier City except for handling carload shipments as and when necessary.

5. Since the hearing on the original application the legislature, by Chapter 19177, Acts of 1939, has amended Section 6707, Compiled General Laws of 1927, giving to the Railroad Commission the right to prescribe such service by rail lines as in its opinion the public need requires. Upon the record and evidence the Commission is of opinion that public need does not require daily service into Belle Meade and Collier City.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Atlantic Coast Line Railroad Company to discontinue operation over its line of railroad between Naples and Collier City, which includes the stations of Belle Meade and Collier City, except for the handling of carload shipments as and when necessary but to continue to operate daily except Sunday service between Fort Myers and Naples, Florida, be and the same is hereby **GRANTED**, effective on July 24, 1939.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 20th day of July, 1939.

ORDER NO. 1299,

DOCKET NO. 1411.

IN RE: INVESTIGATION OF THE CLOSING OF THE TELEGRAPH STATION IN COCONUT GROVE, FLORIDA, BY WESTERN UNION TELEGRAPH COMPANY.

THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

—to—

WESTERN UNION TELEGRAPH COMPANY

Third District, Southern Division,
Orlando, Florida.

Complaint having been filed with this Commission by numerous patrons and residents that Western Union Telegraph Company has closed its office at Coconut Grove, Florida, without authority from this Commission:

Now, therefore you, **WESTERN UNION TELEGRAPH COMPANY** are hereby required to show cause, if any you have, before this Commission in Court Room No. 600 at the **DADE COUNTY COURT HOUSE, MIAMI, FLORIDA**, on the 10th day of **OCTOBER, 1939**, at 10 o'clock A. M. why you should not be required to re-open your office at Coconut Grove, Florida, and maintain the same without interruption.

And at said time and place you and all other parties interested will have an opportunity to be fully heard.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 26th day of September 1939.

ORDER NO. 1300,

DOCKET NO. 1412.

IN RE: APPLICATION OF INTER COUNTY TELEPHONE & TELEGRAPH COMPANY FOR AUTHORITY TO CONSTRUCT A NON-ATTENDED AUTOMATIC EXCHANGE AT FORT MYERS BEACH, FLORIDA, AND FIX RATES FOR TELEPHONE SERVICE THEREIN.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

This matter coming on for further hearing upon application of the Inter County Telephone & Telegraph Company to construct a Non-attended Automatic Exchange at Fort Myers Beach, Florida, and it appearing that the citizens and business firms of Fort Myers Beach have petitioned the Inter County Telephone & Telegraph Company to construct such exchange and have agreed to pay the rates hereinafter mentioned and the company has agreed to construct such exchange and asks for approval and authority to do so, and the Commission being fully advised in the premises:

It is, therefore, CONSIDERED, ORDER AND ADJUDGED by the Railroad Commission of the State of Florida that the Inter County Telephone & Telegraph Company be and it is hereby AUTHORIZED to construct a Non-attended Automatic Exchange at Fort Myers Beach, Florida, and to charge the following schedule of rates for service furnished at said exchange when the said exchange shall have been installed:

FORT MYERS BEACH

ZONE 1

Business 1-Party	\$ 4.00	Business 1-Party	\$ 4.50
Residence 1-Party	3.00	Residence 1-Party	3.50
Residence 4-Party	2.50	Residence 4-Party	2.75

SAN CARLOS SUBDIVISION

Business 4-Party	\$ 4.00
Residence 4-Party	3.00

BEYOND THE BASE RATE AREAS AND WITHIN SIX MILES
OF THE CENTRAL OFFICE:
RURAL 8-PARTY LINE

Business	\$ 4.00
Residence	3.00

It is further ORDERED that this case remain open on the docket and jurisdiction be retained of the same for the purpose of making such further or other orders as to the Commission may seem proper.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 29th day of September, 1939.

ORDER NO. 1301,

DOCKET NO. 1402.

IN RE: APPLICATION OF L. R. POWELL, JR., AND HENRY W. ANDERSON AS RECEIVERS OF SEABOARD AIR LINE RAILWAY COMPANY FOR AUTHORITY TO DISCONTINUE THE OPERATION OF TRAINS NOS. 34 AND 35 BETWEEN JACKSONVILLE, FLORIDA, AND RIVER JUNCTION, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 756 dated the 28th day of August, 1939, this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, at 10 o'clock A. M., on September 12, 1939. Then and there appeared the following:

W. L. Stanley, W. J. Oven and B. C. Stanley; representing the applicants.

Velma Keen, Leroy Collins for the Tallahassee Chamber of Commerce; F. E. Harrison for the City of Tallahassee; Velma Keen and Charles Ausley for Dade County Bar Association; protestants.

2. Trains 34 and 35, which the Receivers of the Seaboard Air Line Railway Company are seeking authority to discontinue, known as the "TALLAHASSEE FLYER," are rail busses of 160 Horse Power operated by gasoline and consist of one unit. The seating capacity of each of these busses is fifty-seven with thirty-eight seats for white and nineteen for colored. The train crew operating each of these trains consist of an engineer, conductor, flagman or baggage-master. Train No. 35 is the Westbound train leaving Jacksonville at 8:35 A. M. arriving at

Tallahassee 11:55 A. M. and River Junction at 1:10 P. M. Train No. 34 is Eastbound train leaving River Junction at 3:25 P. M. and leaves Tallahassee at 4:40 P. M., arriving Jacksonville at 8:30 P. M.

In addition to these two trains the Seaboard operates two other daily trains known as No. 37 and 39 Eastbound and No. 38 and 36 Westbound. Train 37 leaves Jacksonville at 11:35 A. M. and arrives in Tallahassee at 4:19 P. M. Train No. 39 leaves Jacksonville at 9:20 P. M. and arrives in Tallahassee at 2:15 A. M. In the opposite direction train 38 leaves Tallahassee at 1:20 A. M. and arrives in Jacksonville at 7:00 A. M. Train No. 36 leaves Tallahassee at 1:40 P. M. arriving in Jacksonville at 6:00 P. M.

Trains 34 and 35 make no connection nor provide any through service at River Junction with the Louisville & Nashville Railroad. They do, however, make connection with trains at Jacksonville. They make connection with the Seaboard Air Line trains coming in from North and also the Florida East Coast trains coming in from Miami, so that passengers coming in from the north and reaching Jacksonville in the early morning can take train 35 for Tallahassee and other points in West Florida, and passengers arriving in Jacksonville from Miami in the early morning can do likewise. In other words, passengers leaving Miami late at night and arriving in Jacksonville early in the morning can take this train to Tallahassee arriving at 11:55 A. M. and have several hours to transact business before having to return at 4:40 P. M.

3. It is the contention of the Receivers of the Seaboard Air Line Railway that the out-of-pocket expenses of operating these trains exceeded the total revenue for the calendar year 1938 by \$22,065.00, and for the first seven months of 1939 the out-of-pocket expenses exceeded the total revenue by \$11,862.00. They offered Exhibits Nos. 12, 13 and 14 showing these out-of-pocket expenses. The larger items of expense, such as maintenance of the two busses of \$12,048.00 for the year 1938, and Union Station expenses at Jacksonville of \$3,779.00 for the same period of time, were not broken down nor could they be explained by the witnesses who testified for the applicant other than to say that the Jacksonville Terminal Company renders them a bill for these items and they pay them; that the bill is not itemized and they have no details at all of what the items are for. This was especially true of the large item of maintenance. The other item of Union Station expenses of \$3,779.00 witness said this item represented in a general way labor of putting the gasoline in the busses, lubricating the busses, inspecting and cleaning, watering and reicing the busses and the Seaboard's proportion of maintaining the joint facility expenses.

4. The applicants also offered their Exhibit No. 6, being a statement of the Passenger Train Earnings for these trains for the calendar year 1938, and also for the seven months period January 1st to July

31st, 1939. This exhibit also showed the number of passengers and the revenue per train mile. This exhibit indicates that there was greater use of this train during 1939 than during the same period in 1938. For instance, in January 1938 the total number of passengers handled was 1301 and in January 1939 the total number handled was 1448; in February the total number handled by these two trains was 1175 and for February 1939 the total number was 1256; for March 1938 the total number was 1284 and March 1939 the number was 1571; for April 1938 the total number was 1046 and for April 1939 the total was 1834; for May 1938 the total number was 1321 and for May 1939 the number was 1887; for June 1938 the total number handled was 1282 while for June 1939 the number was 1638; for July 1938 the number was 1308 while for July 1939, the last month that we have, the total number of passengers handled was 1988.

The applicants also filed their Exhibit No. 7, which showed the average occupancy of these two trains during the period from February 1, 1939 to July 31, 1939. This exhibit showed that on train 34 from River Junction to Jacksonville the average number of passengers per trip was 23, and on train 35 from Jacksonville to River Junction 33. A significant fact that the average number of passengers from River Junction to Quincy on train 34 was one and the average number from Quincy to Tallahassee on the same train three, and that the average number of passengers from Tallahassee to Quincy on train 35 was five and the average number from Quincy to River Junction on train 35 was 2, indicating that the passenger travel on these two trains between Tallahassee and River Junction was extremely light.

5. Exhibits 12 and 13 indicate that the greatest out-of-pocket expenses incurred by the operation of these trains was due to the crew wages. Total crew wages for operating these two trains for the calendar year 1938 was \$24,224.00. The busses were operated during that period a total of 149,348 miles. The next largest item on Exhibit No. 13 was gasoline for fuel for the operation of these two buses amounting to \$7,761.00. The evidence shows that the basic rate of pay for engineers on this run is 7c per mile for each mile run. The distance from Jacksonville to River Junction is 208 miles and the engineer for a trip from Jacksonville to River Junction would receive \$14.56, and for a round trip he would make \$29.12. The rate of pay for the conductor is .0509c per mile, and the amount the conductor would receive for a round trip between Jacksonville and River Junction would be \$21.18. The rate of pay for flagman or baggage master is .0377c per mile and for a round trip of 416 miles he would make \$15.68. It is evident that the gasoline which is used as fuel for these trains cost 5c per mile.

6. It is evident from the fact that no one appeared from River Junction, Quincy or any other intermediate points between River Junc-

tion and Tallahassee to protest the taking off of these trains, and from the further fact that few passengers are riding on these trains between Tallahassee and River Junction, that public convenience and necessity does not require the continuation of the trains to River Junction, and if the train was turned around at Tallahassee a considerable saving could be effected in crew wages and in the out-of-pocket expenses of operating the train. For instance, it is 165 miles from Jacksonville to Tallahassee and 330 miles per round trip. The total mileage operated for the year would be 118,800 miles and at the rate of pay the conductor, engineer, flagman or baggage master receives the total cost would be about \$18,880.00 annually as against \$24,225.00 shown by these exhibits—a saving of more than \$5,000.00 per year.

The difference in mileage made by these two trains if they were stopped at Tallahassee over what they now make between Jacksonville and River Junction would be about 31,000 miles per year, which would mean a saving of about \$1550.00 in gasoline.

The revenue losses would be slight according to the exhibits introduced, as very few passengers are using the trains between Tallahassee and River Junction, and the saving would be material.

7. The applicants also filed their Exhibit No. 4 which shows the System Revenue and Expenses assigned and Apportioned to Passenger and Allied Service for the years 1936, 1937 and 1938. For the year 1938 this Exhibit shows that the Net Railway Operating deficit for the system assigned to passenger and allied service was \$4,083,514.00. This indicates a loss on all passenger service and in fact the percentage of loss on the total passenger service is much greater than on these two trains 34 and 35. In spite of this loss on passenger service the Annual Report of the Receivers to the Interstate Commerce Commission and to the Florida Railroad Commission, which was put in evidence in this case, shows on page 300 under the heading "Income Account for the Year," that the net railway operating income of the railroad for the year 1938 was \$1,449,487.00. The net railway operating income is the basis of determining whether or not a railroad is making a return upon investment. This indicates that the railroad did not lose money on its operations for the year 1938. Up to the present operations for 1939 will be even more favorable.

Where authority is sought to abandon operations of certain trains over the line of an interstate carrier by rail because of diminished revenue receipts earned by such line, the reasonable needs of the public are to be first considered and all the revenue receipts interstate and intrastate, as well as mail and all other sources of revenue accruing to the line, should be considered in determining not whether the particular train sought to be discontinued is self sustaining, but whether the financial

burden on the entire line greatly exceeds the need of the public to a continuance of the service, and so reduce the revenue receipts of the entire system of the railroad as to amount to a taking of the property of the company without due process and without just compensation or so as to unduly burden interstate commerce.

8. The Commission has carefully considered all of the evidence introduced in this case and is of opinion that the operation of trains 35 and 34 between Jacksonville and Tallahassee are required in the public interest and that the continued operation of these two trains are not more burdensome to the company than the operation of all of the passenger trains over the system; and that since the system as a whole is earning practically One and One-half Million Dollars in Net Railway Operating Income the continued operation of these two trains, especially between Jacksonville and Tallahassee, would not reduce the revenue receipts of the company's system so as to amount to a taking of its property without due process of law, and would not be such a burden as to outweigh the needs of the public to a continuation of such service. The duty to furnish reasonable adequate train service to local communities served by such carrier is among the imperative duties imposed upon railroad common carriers in consideration of the privileges conferred upon them by the State for the benefit of the public. The evidence in this case tends to show an imperative need for service in and out of Tallahassee, the Capital of the State, so that the citizens of Florida may come to the Capital to transact their business without unnecessary delay. The schedules of the other passenger trains operating between Jacksonville and Tallahassee do not afford such service at the present time.

Trains 34 and 35 furnish a service that reasonably meets the needs of the public, and even though the cost of the service may exceed the receipts therefrom this is not controlling if such cost and expenses do not unduly affect the receipts from the entire railroad system or directly and unreasonably burden or impede interstate commerce.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of the Receivers of Seaboard Air Line Railway Company for authority to discontinue operation of trains 34 and 35 between Jacksonville, Florida, and River Junction, Florida, be and the same is hereby **DENIED** without prejudice, however, to the right of the Receivers of such railroad company to discontinue the operation of said trains between Tallahassee and River Junction, Florida, and to operate such trains under the present schedule between Tallahassee and Jacksonville, Florida.

It is further **ORDERED** that this order shall be and become effective on October 15, 1939.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 5th day of October, 1939.

ORDER NO. 1302,

DOCKET NO. 1414.

IN RE: APPLICATION OF THE MIAMI BEACH RAILWAY COMPANY, THE CITY OF MIAMI, BY AND THROUGH THE CITY MANAGER, AND THE CITY OF MIAMI BEACH, BY AND THROUGH ITS CITY CLERK, FOR APPROVAL, CONSENT AND AUTHORITY TO ABANDON, DISCONTINUE AND CEASE THE OPERATION OF INTER-CITY STREET CARS NOW BEING OPERATED BY THE MIAMI BEACH RAILWAY COMPANY WITHIN AND BETWEEN THE CITIES OF MIAMI, FLORIDA, AND MIAMI BEACH, FLORIDA, AND OVER THE DADE COUNTY CAUSEWAY.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

This application came on for formal hearing before the Railroad Commission of the State of Florida at the Dade County Court House, Room 600, Miami, Florida, on October 9, 1939. The following appeared:

William H. Preston of Miami for the Miami Beach Railway Company.

W. H. Malone and R. C. Gardner, both of Miami, for certain protestants.

The Miami Beach Railway Company is a common carrier of passengers operating an electric street railway within and between the cities of Miami, Florida and Miami Beach, Florida (which are adjoining municipalities) and over the Dade County Causeway. This applicant conducts two separate but coordinated operations, both being under the jurisdiction of the Commission. One is a system of lines solely within the City of Miami, and the other is an inter-city line between Miami and Miami Beach over the Dade County Causeway. This application is for the abandonment of the inter-city service only.

If the application is granted the Miami Beach Railway Company intends to substitute a bus service for the street railway system abandoned. It appears from the testimony that this bus service will be a great improvement over the existing street car service. The evidence clearly shows that the discontinuance of the street car service is in the public interest and desirable from the standpoint of public convenience and necessity PROVIDED a transportation service at least equally as

convenient is substituted therefor. In order to protect the need for public transportation over this route the abandonment of this service will be conditioned upon the institution of an adequate substitute service. It appears that the governing bodies of both Miami and Miami Beach have approved the discontinuance of the street car service and the substitution of a bus system.

Certain protestants opposed this application because the City of Miami had not yet completed plans for a complete revision and unification of its entire bus and transportation system. This Commission is not concerned, however, with the kind of transportation substituted except to determine that it is adequate and will meet the public needs. It was also contended that the placing of more motor vehicles on the causeway would create additional traffic hazards and congestion but the evidence did not substantiate this. On the contrary, it appeared that traffic congestion would be relieved by the elimination of the street cars.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida, that the application of the Miami Beach Railway Company, the City of Miami and the City of Miami Beach, for the approval and consent of this Commission for the abandonment of the operation of inter-city street cars now being operated by the Miami Beach Railway Company within and between the Cities of Miami, Florida, and Miami Beach, Florida, and over the Dade County Causeway, be and the same is hereby **GRANTED** and approval and consent for such abandonment is hereby given conditioned, however, upon the substitution for said street car service of some other form of transportation service equally as great or greater than that now offered.

It is further **ORDERED** that approval and consent for said abandonment shall take effect as of the date a complete substitute transportation system shall begin operation, and that the jurisdiction of this Commission is retained for the entry of such further orders as may be necessary.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session this 9th day of October, 1939.

ORDER NO. 1303,

DOCKET NO. 1402.

IN RE: APPLICATION OF L. R. POWELL, JR., AND HENRY W. ANDERSON, AS RECEIVERS OF SEABOARD AIR LINE RAILWAY COMPANY FOR AUTHORITY TO DISCONTINUE THE OPERATION OF TRAINS NOS. 34 AND 35 BETWEEN JACKSONVILLE, FLORIDA, AND RIVER JUNCTION, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1301, dated October 5th, 1939, this Commission denied the application of the Receivers of the Seaboard Air Line Railway Company for authority to discontinue operation of trains 34 and 35 between Jacksonville, Florida, and River Junction, Florida, without prejudice, however, to the right of the Receivers of such Railway Company to discontinue the operation of said trains between Tallahassee and River Junction, Florida, and to operate such trains under the present schedules between Tallahassee and Jacksonville, Florida.

2. By letter the applicants have advised this Commission that they will, pursuant to such order after midnight on October 29th, 1939, discontinue these trains West of Tallahassee.

3. The applicants request that this proceeding remain open on the docket of the Commission for a period of six months so that they may keep a record of the operations of these trains between Jacksonville and Tallahassee, and if they so desire, may within such time file a petition for a reopening and a rehearing of this cause to the extent that it affects the operation between Jacksonville and Tallahassee, and if such petition is filed and the cause is reopened, the hearing shall be upon the record already made and upon such further testimony as may be introduced by the applicants and by such other parties as may desire to be heard in the matter, after notice duly given of such rehearing. The Commission having considered this matter and being of the opinion that said request is a reasonable one:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that this proceeding remain open on the docket of the Commission for a period of six months within which time the applicants, if they so desire, may file a petition for discontinuance of trains Nos. 34 and 35, between Jacksonville and Tallahassee, and for a reopening and rehearing of this cause upon such petition, without prejudice to either the applicants or the Commission as to any action thereon, and with the understanding that such rehearing, if and when granted, shall be upon the testimony heretofore taken, and upon such other evidence as may be introduced by the applicants and

by any other parties who desire to be heard in the matter after due notice of said rehearing shall have been given.

DONE AND ORDERED by the Railroad Commission of the State of FLORIDA, in session at its office in the City of Tallahassee, Florida, this 25th day of October 1939.

ORDER NO. 1304,

DOCKET NO. 1411.

IN RE: INVESTIGATION OF THE CLOSING OF THE TELEGRAPH STATION IN COCONUT GROVE, FLA., BY WESTERN UNION TELEGRAPH COMPANY.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This matter came on for formal hearing before the Railroad Commission of the State of Florida at the Dade County Court House, Miami, Florida, on October 10, 1939, pursuant to Order No. 1299 dated September 26, 1939. The following appeared:

Mr. F. E. Frazier of Orlando, and Mr. G. L. Musick of Miami, for the respondent, Western Union Telegraph Company.

Mr. M. Earle Baum of Coconut Grove, for the petitioners.

Mr. Julian S. Eaton of Coconut Grove, representing the Coconut Grove Exchange Bank.

2. Complaint was made to the Commission by certain citizens of the Coconut Grove section of the City of Miami protesting the closing during the summer months of the branch office of the Western Union Telegraph Company in that community. Coconut Grove was originally a separate municipality but is now incorporated in Miami.

3. The Western Union maintains a separate branch office in Coconut Grove but closed it on June 9, 1938, in an effort to cut down operating expenses. To maintain service in this area the teleprinter used to transmit messages between the main office in Miami and the branch was moved into a nearby drugstore and the operator of the drugstore employed on a commission basis to receive and deliver telegrams. This type of services continued until December 23, 1938, when service was resumed through the telegraph company's own employee in its own office. The office was again closed on April 30, 1939 and from that date until the date of the hearing, service through the drugstore has been furnished. Officials of the company testified they intended to reopen their office on November 15, 1939.

4. The principal complaint is the lack of privacy when the office is in the drugstore. Several business men testified they would not deliver confidential communications, including money orders, to clerks in a drugstore. Because of this it appears that Western Union has lost some business, particularly that of the Exchange National Bank located in Coconut Grove. Complaint was also made that the telegraph office in the store could not be easily located although the company's witnesses testified that there were signs on the store marking it as a telegraph office.

5. The Company's contention is that there is no curtailment whatever in the service offered in Coconut Grove, but that on the contrary the temporary arrangement is an improvement in that the drugstore is open from 7 A. M. until 11 P. M., and all day on Sunday whereas the private office of the company closes at 5 P. M. and does not offer Sunday delivery service. Revenue and expenses figures for 1937 (the last full year the company operated its own office) were offered and showed gross income of the Coconut Grove branch for that year to be \$4,688.00, and expenses \$2,050.00 or 44% of the revenue. For the slack summer period (June through November) of that year this ratio was 64% and it is during these months that the company claims it loses money by maintaining its individually operated branch office.

6. No figures were offered, however, to show the extent of the savings resulting from the operation of the branch in the drugstore. The Commission is unable to say at this time whether the savings to the company justify the change in the service. Certainly there is some additional convenience to the public in having the telegraph office operated only by full time employees of the company. We are unable to say on this record whether this convenience will outweigh the savings to the company. So the company will be required to reopen its office and maintain it until the further order of the Commission.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Western Union Telegraph Company shall reopen its individually operated Coconut Grove branch office, in the City of Miami, not later than December 11, 1939, and not close or temporarily discontinue such office until application has been made to this Commission and authority received therefor.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of December, 1939.

ORDER NO. 1305,**DOCKET NO. 1326.**

IN RE: APPLICATION OF GEORGIA SOUTHERN & FLORIDA RAILWAY COMPANY TO CHANGE ITS PRESENT DAILY MIXED TRAIN SERVICE, SUNDAY EXCEPTED, TO A MIXED SERVICE LEAVING VALDOSTA ON MONDAYS, WEDNESDAYS AND FRIDAYS AND RETURNING LEAVING PALATKA ON TUESDAYS, THURSDAYS AND SATURDAYS.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 758 dated September 18, 1939, this matter came on for formal hearing before the Railroad Commission of the State of Florida at the County Court House, Lake City, Florida, on October 16, 1939, at 10 o'clock A. M.

H. P. Adair, C. C. Copp, Clarence G. Ashby, J. E. Hall and J. E. Hall, Jr., appeared for the applicant.

C. A. Avriett of Jasper, Florida, for Hamilton County Chamber of Commerce, Board of Public Instruction and the towns of Jennings, Jasper and White Springs, Florida; O. W. Franklin, City Attorney for Valdosta appeared for the City of Valdosta; G. C. Dougherty, Clerk of County Commissioners of Lowndes County, Georgia, represented Lowndes County and City of Valdosta; Joe Ferguson represented the Board of County Commissioners of Columbia County, School Board of Columbia County and Chamber of Commerce of Lake City, Florida; C. L. Stowe represented Brotherhood of Railway Trainmen, State of Florida; W. M. Chandler, Chairman of Legislative Board, Brotherhood of Locomotive Firemen and Enginemen, State of Georgia; H. E. Ivey represented Brotherhood of Railway Trainmen, State of Georgia; Dan P. Ellis, Chairman, Legislative Board, Brotherhood of Locomotive Firemen and Enginemen, State of Florida.

Docket No. 1324, application to close agency at Lake Butler, Florida, and Docket No. 1325, application to close agency at White Springs, Florida, were also set down for hearing under Notice No. 758. At the beginning of the hearing, however, the Georgia Southern & Florida Railway, through its counsel, moved to withdraw its applications under Dockets Nos. 1324 and 1325, and this motion was granted by the Commission.

2. On July 27, 1938, the Georgia Southern & Florida Railway Company filed a petition with this Commission for authority to reduce its service over that portion of its line of railroad running from Valdosta to Palatka to a modified service of one mixed train Southbound on Mon-

days, Wednesdays and Fridays and one mixed train Northbound on Tuesdays, Thursdays and Saturdays. This Commission examined and considered this application and found that on account of the provisions of Section 6707, Compiled General Laws of Florida, it was without jurisdiction or authority to permit the operation of less than one train each way daily, except Sunday, and, therefore, dismissed the application because it was without jurisdiction to grant the relief sought in the petition.

After the entry of this order, and in order to make a test case of this matter, the railroad company notified the Commission in writing that it proposed on and after the 22d day of August, 1938, to curtail its intrastate service irrespective of the State statute and the order of the Railroad Commission denying jurisdiction of the application. Thereupon the Railroad Commission filed its bill of complaint in the name of the State of Florida in the Circuit Court in and for Duval County, Florida, praying that the Georgia Southern & Florida Railroad Company be enjoined and restrained from curtailing the operations of intrastate service now furnished by it until and unless the railroad company should by appropriate train facilities otherwise supply the intrastate service required by said Section 6707 of the Compiled General Laws of Florida.

This case was eventually tried in the Circuit Court in and for Duval County, and on September 29, 1938, final decree was entered in which the Court found that the operation of said mixed train each way daily, except Sunday, on said line of railway between Valdosta and Palatka has resulted in and is resulting in substantial losses to the defendant and results in confiscation of the property of the railroad company and with taking of its property without due process of law, and in violation of the rights reserved to the railroad company under the Fourteenth Amendment of the Constitution of the United States, and in depriving the railroad company of its property without due process of law, and the Court thereupon denied the relief sought in the bill of complaint and dismissed the bill.

3. The case was then appealed to the Supreme Court of Florida and in due course the Supreme Court, by its decision dated July 7, 1939 (reported in 190 So. 527) reversed the decree of the Circuit Court for Duval County.

In the meantime, and while the Court was considering this cause, the legislature of the State of Florida by Chapter 19177, Laws of Florida 1939, amended Section 6707, Compiled General Laws of Florida 1927, so as to give the Railroad Commission full power to determine the public need for railroad service and after hearing to prescribe such service as in its opinion the public need does require. This amendment of the section was brought to the attention of the Court by petition for re-

hearing and the Court affirmed its former judgment but without prejudice to the Railway Company making an application to this Commission for relief under Chapter 19177, Acts of 1939. Thereupon, and on September 7, 1939, the railroad company filed its petition with this Commission seeking curtailment of service over that portion of its line of railroad from Valdosta, Georgia, to Palatka, Florida. The railroad company proposed a service consisting of a mixed freight and passenger service as well as express service, but without mail service, leaving Valdosta on Mondays, Wednesdays and Fridays and arriving at Palatka in the afternoon of the same days and leaving Palatka in the morning on Tuesdays, Thursdays and Saturdays and arriving in Valdosta in the afternoon of the same days, and praying the Commission to hear and investigate this matter and determine that public need does not require the daily service of trains Nos. 13 and 14 now being furnished, and prescribe a tri-weekly service proposed in the petition. This matter has been heard fully by this Commission.

4. At the hearing the applicant offered a series of exhibits numbered 1 to 16 inclusive, showing the General Balance Sheet of the railroad as of June 30, 1939, and Income Statement of the entire operations of the Georgia Southern & Florida Railroad Company for the years 1933 to 1938 inclusive, and the six months January through June of 1939, the Investment in Road and Equipment of the railroad company and the Income Account for the years 1933 to 1938 inclusive, and January through June of 1939, of that part of its line from Valdosta, Georgia, to Palatka, Florida, and the Revenue and Direct Expenses of the operations of Trains 5 and 6, known as "THE FLORIDA SUN-BEAM" between Valdosta, Georgia, and Hampton, Florida, and other information with reference to Motor Truck Registration of automobiles and Progress of Civil Aeronautics in the United States. It also showed the proposed savings of the operation of the tri-weekly as against a daily mixed train service over its line from Valdosta to Palatka.

From these exhibits and the testimony explaining them, it is clear that the financial condition of the applicant, Georgia Southern & Florida Railroad Company like all other railway companies in the United States is poor. This railroad is not making a return on its investment that is permitted under the Federal law. Neither is it making what might be determined a fair return upon the value of its property devoted to public service. In this regard the result of its operations is not different than the operations of most of the railroads in the United States.

Exhibit No. 2 shows that the Net Railway Operating Income of the railroad for the year shown is as follows:

1933	\$ 38,439.96
1934	115,243.52

1935	104,514.05
1936	137,524.20
1937	241,740.64
1938	29,788.92

and for the six months January through June of 1939—\$70,055.35. The testimony was that the year 1938 was a bad year for all railroads but from the operation of the line for the first six months of 1939 it is apparent that the year 1939 will show a greatly increased Net Railway Operating Income over the year 1938. This exhibit indicates that the system operations are being carried on at a profit, and indicates, as said above, that the year 1939 will show an increase in revenue over the year 1938.

Exhibit 4 details the operation of the line from Valdosta, Georgia, to Palatka, Florida. The total Railway Operating Revenue for the year 1938 was \$127,144.67, while for the six months from January through June of 1939 it was \$83,346.10—indicating that the revenues for 1939 would be greater than for the year 1938. The expenses were correspondingly large and showed a Net Railway Operating Income deficit of \$82,550.64 for the year 1938, and \$37,735.17 for the first six months of 1939.

The applicant's contention is that if it is permitted to curtail the service it will be enabled to save around \$13,000.00 per annum on the operation of the trains 13 and 14 between Valdosta and Palatka. This is an estimate and is based on the estimated revenue of the trains, the estimated expenses and the estimated loss of revenue resulting from the curtailment. The estimated losses by curtailment of service would be the United States mail contract amounting to \$12,129.48 per annum, and witnesses for the railroad also estimated it would lose half of the express revenue and half of the passenger revenue, or \$1663.08 per annum in express and \$2,132.52 per annum in ticket sales. They estimate they would lose no freight revenue whatsoever by curtailment of service. They claim a reduction in expenses so as to make a total out-of-pocket saving of \$29,308.83, and deducting loss of revenue of \$15,925.08 would leave a Net Savings of \$13,383.75. However, the testimony of the patrons of the railroad indicates that if the service is curtailed to three day per week they would be forced to make other arrangements for transportation of their freight. For instance, one witness representing a plywood box factory, and whose plant is situated on both the Atlantic Coast Line and Georgia Southern & Florida Railway, testified that he had given the Georgia Southern & Florida Railway several hundred cars of freight during the preceding year and for the last nine months prior to the hearing his outbound freight was 153 carloads. That since his company was located on the Atlantic Coast Line and Georgia Southern & Florida he would be forced by reason of competition to withdraw

most of this carload freight from the applicant and give it to the Atlantic Coast Line. This testimony clearly indicates that the applicant would also lose considerable freight revenue, and if this is true, the Net Savings due to the line would be materially reduced.

5. This Commission has carefully considered all of the evidence introduced in this cause and is of opinion that the public need requires the continued operation of at least one mixed train daily, except Sundays, over this line of railroad from Valdosta, Georgia, to Palatka, Florida. While it is true that the applicant is losing some money in the operation of its line from Valdosta to Palatka, the Commission is of the opinion that its deficit on this line will not be as large in 1939 as it was the previous year and with continued operation of the daily service, and with continued solicitation on the part of its employees, the revenues can be greatly increased. In addition, it is clearly shown that the applicant is earning money on its system and that its system revenues for the year 1939 have greatly increased and will be several times larger than they were the preceding year of 1938. It is further of opinion that if this carrier was permitted to curtail this service its losses would be much greater than those estimated by the applicant. The record is clear that the shippers will not patronize a three-day service as readily as they would a daily service, and the carrier would necessarily be deprived of much freight revenue which it now receives. If this should be the case, the savings which would result from the curtailment of the service would be so small as not to warrant the Commission approving a curtailment of service that would entail inconvenience to the public along this line of railroad. This road serves Jennings, Jasper, White Springs, Lake City, Lake Butler, Hampton and Palatka, some of the most thriving towns in that section of the State, many of which are County seats, and it would be a manifest inconvenience to the people of these communities to deprive them of this service. It is true that there is some bus and truck service along this route but up to this time there is no evidence that it has deprived the carrier of any great amount of its tonnage. It has not been shown that the continuance of the present service over such line would unlawfully affect the property rights of the railroad company. On the other hand, however, the testimony indicates that the granting of this application would not only deprive the communities through which the railroad runs of service but might result in added revenue burdens to the applicant.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the public need along the line of railroad from Valdosta, Georgia, to Palatka, Florida, requires the continued daily service of trains Nos. 13 and 14 now being furnished, and that the petition and application of Georgia Southern & Florida Railway Company to curtail this service and provide a tri-weekly service be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 12th day of December, 1939.

INFORMAL APPLICATIONS AND COMPLAINTS

- TC- 1—Installation of telephone. Mrs. Mabel G. Lane vs. Southern Bell Telephone and Telegraph Company. Settled.
- RA- 2—Application Florida East Coast Railway to abandon agency at White City. Granted.
- RA- 3—Application of Seaboard Air Line Railway to discontinue agency at Micanopy, Florida. Granted.
- TC- 4—Telephone charges. Robinson Lumber Company vs. Southeastern Telephone Company. Settled.
- TC- 5—Telephone service, Fort Walton—Ft. Walton Community Club vs. Southeastern Telephone Company. Pending.
- TC- 6—Telephone service, Sumterville. Hon. James West vs. Florida Telephone Corporation. Settled.
- TC- 7—Telephone listing. Dr. Rosalie S. Morton, Winter Park, Florida, vs. Winter Park Telephone Company. Settled.
- TC- 8—Charges, Princess Ann Hotel, Miami Beach vs. Southern Bell Telephone Company. Settled.
- TC- 9—Telephone service, Carrabelle. Citizens vs. Southeastern Telephone Company. Pending.
- TC-10—Telephone Service, Gainesville. W. C. Durham vs. Southern Bell Telephone and Telegraph Company. Settled.
- TC-11—Telephone charges. Mrs. W. W. Fentress, Miami, vs. Southern Bell Telephone and Telegraph Company. Settled.
- RA-12—Consolidating Trains 1 and 191—Seaboard Air Line Railway Company. Approved.
- RA-13—Application to close Sorrento agency during June, July, August, September and October. Railway Express Agency, Inc. Granted.
- RA-14—Closing Fort Ogden agency from June 1, 1939 to October 30, 1939. Atlantic Coast Line Railroad Co. Granted.
- RC-15—Telegraph service, Aucilla agency. N. W. McLeod vs. Seaboard Air Line Railway Co. Settled.
- TC-16—Charges for telephone service. B. C. Dodd, Winter Park vs. Winter Park Telephone Company. Settled.

- TC-17—Charges for installation. Joseph Herman, San Antonio, Florida, vs. Florida Telephone Corporation. Settled.
- TC-18—Telephone rates. W. C. Swatts, Tallahassee, vs. Southeastern Telephone Company. Settled.
- RA-19—Reducing train service between Sanford and Lake Charm. Seaboard Air Line Railway. Approved.
- RA-20—Closing Lake Hamilton agency during months of June, July and August. Atlantic Coast Line Railroad Co. Transferred to Formal Docket.
- RA-21—Dismantling combination freight and passenger depot and leaving covered platform at Branford. Seaboard Air Line Railway. Granted.
- TC-22—Telephone service. A. J. McMullian, Altha, Florida, vs. Southeastern Telephone Company. Settled.
- RA-23—Closing agency at Irvine, Florida. Jacksonville, Gainesville and Gulf Railroad and Railway Express Agency, Inc. Approved.
- RA-24—Application for authority to institute tri-weekly service on Everglades-Palmdale branch. Atlantic Coast Line Railroad Company. Granted.
- RC-25—Charges. Judge Davis, Madison, Florida, vs. Western Union Telegraph Company. Settled.
- RA-26—Application Louisville & Nashville Railroad Company to demolish depot at Cottage Hill, Florida. Approved.
- RA-26½—Closing Fort Odgen agency during summer months. Seaboard Air Line Railway. Granted.
- TC-27—Telephone charges. Earl J. Reed, West Palm Beach vs. Southern Bell Telephone and Telegraph Company. Dropped.
- RA-28—Closing agency station at Willow, Fla. Seaboard Air Line Railway. Granted.
- TC-29—Credit requirements. W. V. Allsopp vs. Southern Bell Telephone and Telegraph Company. Dropped.
- TC-30—Telephone service, Ocala. George J. Dallas vs. Florida Telephone Corporation. Settled.
- TC-31—Poor service, DeFuniak Springs. Sanford Service Company vs. Southeastern Telephone Company. Settled.
- TC-32—Service Wakulla County. Phillips Turpentine Company and Ladd Brothers vs. Southeastern Telephone Company. Settled.

- TC-33—Poor service. D. J. Mason, Orlando vs. Mrs. Clara Storrs (owner of a Farmers' telephone line), Lockhart, Florida. Settled.
- TC-34—Poor toll service. G. S. Hall, Tildenville vs. Florida Telephone Corporation. Approved.
- TC-35—Poor service. W. F. Green, DeFuniak Springs vs. Southeastern Telephone Company. Transferred to Formal Docket.
- TC-36—Poor service. R. P. Scholl vs. Mrs. Clara Storrs, (owner of a Farmers' telephone line). Settled.
- TC-37—Telephone listing. Grady H. Cushing, Everglades vs. Inter County Telephone and Telegraph Company. Settled.
- TC-38—Poor service, Riviera. Edward G. Newell vs. Southern Bell. Pending.
- TC-39—Telephone charges. Halle Cohen, Jacksonville, vs. Southern Bell. Dropped.
- TC-40—Request for service. R. T. Hutchins, Panama City, vs. Southern Bell Telephone and Telegraph Company. Settled.
- TC-41—Poor service. N. W. McLeod, Aucilla vs. Southeastern Telephone Company. Settled.
- REA-42—Inadequate service, Key West. Chamber of Commerce vs. Railway Express Agency, Inc. Settled.
- RA-43—Lighting facilities, Sneads station. Hon. J. Ned Wilson vs. Louisville & Nashville Railroad Co. Settled.
- RA-44—Abandoning station at Val Roy. Atlantic Coast Line Railroad Company. Approved.
- RA-45—Dismantling depot at Orange Heights. Seaboard Air Line Railway. Approved.
- TC-46—Poor service, Citra. Pupura Packing House vs. McIntosh Telephone Company. Pending.
- TC-47—Telephone charges. Mrs. D. E. Jones, Micanopy, vs. Southern Bell Telephone and Telegraph Company. Settled.
- TC-48—Office hours Western Union. Max Losner, Homestead, vs. Western Union Telegraph Company. Settled.
- REC-49—Express service Thonotosassa. Mrs. C. R. Thomas vs. Railway Express Agency, Inc. Settled.
- TC-50—Telephone installation. Ruby Kersey, Miami, vs. Southern Bell Telephone and Telegraph Company. Settled.
- TC-51—Failure to furnish service. A. J. Rinck, Crescent City, vs. Florida Telephone Corporation. Settled.

**Motor Transportation
Department**

MOTOR TRANSPORTATION DEPARTMENT

During the calendar year 1939 the Commission had an average of eight inspectors whose duties included the enforcement of provisions of the Florida Motor Transportation Act. During that period the inspectors made 181 arrests, of which there were 161 convictions; 15 cases were dismissed, and 12 are now pending. The inspectors during the same period traveled 203,919 miles in the performance of their duties.

**DIGEST OF APPLICATIONS FILED WITH THE
RAILROAD COMMISSION 1939**

	Granted	Denied	Dismissed
Applications for Common carriers	5	1	1
Applications for contract carrier Ctf.	2	—	1
Applications for extensions of Ctfs.	11	—	2
Applications for transfer of Ctfs.	6	—	1
Applications for change of schedule	9	—	—
Citations for violations	—	—	33
Applications for limited common carrier certificate	2	—	2

CERTIFICATES AND PERMITS IN EFFECT

Common carrier Certificates	52
Contract carrier Certificates	31
Special Permits	27
Passenger Permits	192
Certificate of Registration	72
Limited Common Carriers	75

**NUMBER OF PIECES OF EQUIPMENT LISTED
WITH THE COMMISSION**

Common	862
Contract	223
Permit	924
Certificate of Registration	398

PERMITS GRANTED IN 1939

PERMIT No. 458—A. H. Binder, Miami Beach, Florida, to transport passengers for hire, January 5, 1939.

PERMIT No. 459—W. A. Armstrong, Bradenton, Florida, to transport passengers, for hire, January 5, 1939.

PERMIT No. 460—Victor Tweer, Palm Beach, Florida, to transport passengers for hire, January 5, 1939.

PERMIT No. 461—Sun Cab Co., Inc.—St. Petersburg, Florida, to transport passengers for hire, January 9, 1939.

PERMIT No. 462—Emerson A. Frey, West Palm Beach, Florida, to transport passengers for hire, January 9, 1939.

PERMIT No. 463—Phillip L. Young, West Palm Beach, Florida, to transport passengers for hire, January 9, 1939.

PERMIT No. 464—Bernard Knopp, Miami Beach, Florida, to transport passengers for hire, January 9, 1939.

PERMIT No. 465—Mary M. Kettner, West Palm Beach, Florida, to transport passengers for hire, January 9, 1939.

PERMIT No. 466—James Wilburn, Russell I. Burnup & Riley V. Sims, West Palm Beach, Florida, to transport passengers for hire, January 9, 1939.

PERMIT No. 467—L. L. Adams, Jr., d/b/a Red Adams For Hire Cars, Miami, Florida, to transport passengers for hire, January 9, 1939.

PERMIT No. 468—Rufus L. Purcell, West Palm Beach, Florida, to transport passengers for hire, January 12, 1939.

PERMIT No. 469—George Charles, Riviera, Florida, to transport passengers for hire, January 12, 1939.

PERMIT No. 470—Wilfred H. Langlois, West Palm Beach, Florida, to transport passengers for hire, January 12, 1939.

PERMIT No. 471—Howard J. Cook, West Palm Beach, Florida, to transport passengers for hire, January 12, 1939.

PERMIT No. 472—Warren C. B. Robbins, Orlando, Florida, to transport passengers for hire, January 12, 1939.

PERMIT No. 473—Herman Hofman, West Palm Beach, Florida, to transport passengers for hire, January 16, 1939.

PERMIT No. 474—Joseph F. Lucas, West Palm Beach, Florida, to transport passengers for hire, January 16, 1939.

PERMIT No. 475—Alfred G. Oatway, West Palm Beach, Florida, to transport passengers for hire, January 16, 1939.

PERMIT No. 476—Murray Kay, Miami Beach, Florida, to transport passengers for hire, January 16, 1939.

PERMIT No. 477—Fred Ambrose, West Palm Beach, Florida, to transport passengers for hire, January 18, 1939.

PERMIT No. 478—City Storage Garage, Winter Park, Florida, to transport passengers for hire, January 19, 1939.

PERMIT No. 479—Edward Bell, Miami Beach, Florida, to transport passengers for hire, January 31, 1939.

PERMIT No. 480—Joseph J. Farrell, Miami Beach, Florida, to transport passengers for hire, January 31, 1939.

PERMIT No. 481—John N. Durham, Hollywood, Florida, to transport passengers for hire, February 3, 1939.

PERMIT No. 482—C. C. Lee, West Palm Beach, Florida, to transport passengers for hire, February 3, 1939.

PERMIT No. 483—Tony Cardillo, Miami Beach, Florida, to transport passengers for hire, February 6, 1939.

PERMIT No. 484—Henry Freeman, Miami Beach, Florida, to transport passengers for hire, February 6, 1939.

PERMIT No. 485—Mrs. W. J. Yielding, West Palm Beach, Florida, to transport passengers for hire, February 8, 1939.

PERMIT No. 486—Henry R. Barrenblatt, Miami Beach, Florida, to transport passengers for hire, February 8, 1939.

PERMIT No. 487—Theodore Groves, Miami Beach, Florida, to transport passengers for hire, February 8, 1939.

PERMIT No. 488—Sol Barrenblatt, Miami Beach, Florida, to transport passengers for hire, February 8, 1939.

PERMIT No. 489—Economy Cab Company of Tampa, Tampa, Florida, to transport passengers for hire, February 9, 1939.

PERMIT No. 490—Louis Dovsky, Miami Beach, Florida, to transport passengers for hire, February 20, 1939.

PERMIT No. 491—Charles Tice, St. Petersburg, Florida, to transport passengers for hire, February 17, 1939.

PERMIT No. 492—Clarence Elwood Franklin, Palm Beach, Florida, to transport passengers for hire, March 1, 1939.

PERMIT No. 493—A. J. Weekes, Miami Beach, Florida, to transport passengers for hire, March 6, 1939.

PERMIT No. 494—Fidelity Storage & Warehouse Co., Orlando, Florida, to transport special freight—namely, “unusual and heavy articles such as boilers, safes and houses and heavy machinery from Orlando, Florida, within a radius of approximately 150 miles of Orlando, Florida, on occasional and unsolicited trips to points not usually and commonly served by common carriers,” March 28, 1939.

PERMIT No. 495—Clement Walter Johansen, Pensacola, Florida, to transport Freight—namely “creosoted pilings, timbers, poles, contractor’s equipment and other heavy hauling which comes up at a moment’s notice, such as boilers, engines, railroad rail of abandoned roads, stranded and wrecked airplanes and wrecked automobiles to points not served by either rail or motor carriers and also such transportation to points served by rail and motor carriers if said rail and motor carriers shall refuse to accept and move such articles to such points after such shipments have been offered to said rail and motor carriers,” June 28, 1939.

PERMIT No. 496—Edmund Fox, Jacksonville, Florida to transport passengers for hire, September 6, 1939.

PERMIT No. 497—Emil Mike Fry, High Springs, Florida, to transport Special Freight—“Authorized to haul transformers, insulators, lee pins and stools, spools of wire, poles and cross-arms for the Florida Power Corporation from generation plants to consumers along the West Coast of Florida and the territory adjacent thereto, which territory extends from Pinellas County on the lower west coast to the Apalachicola River in the northwestern part of the State,” September 8, 1939.

PERMIT No. 498—Hollywood Storage & Transfer Co.—Hollywood, Florida, to transport passengers for hire, September 21, 1939.

PERMIT No. 499—G. S. MacGowan, West Palm Beach, Florida, to transport passengers for hire, November 6, 1939.

PERMIT No. 500—Roy Kenith Howard, Orlando, Florida, to transport Special Freight—“transport unusual and heavy articles such as boilers, safes and houses and heavy machinery from Orlando, Florida, within a radius of approximately 150 miles of Orlando, Florida, on occasional and unsolicited trips to points not usually and commonly served by common carriers,” November 16, 1939.

PERMIT No. 501—James Thomerson Ellis, Winter Park, Florida, to transport passengers for hire, November 17, 1939.

PERMIT No. 502—Dick Wedekind, West Palm Beach, Florida, to transport passengers for hire, November 21, 1939.

PERMIT No. 502—Wm. J. Black, West Palm Beach, Florida, to transport passengers for hire, December 2, 1939.

PERMIT No. 503—Michael Sirota, Miami Beach, Florida, to transport passengers for hire, December 2, 1939.

PERMIT No. 504—Lester L. Farrow, Lakeworth, Florida, to transport passengers for hire, December 4, 1939.

PERMIT No. 505—Wm. H. Barnett, Miami Beach, Florida, to transport passengers for hire, December 7, 1939.

PERMIT No. 506—Lawrence Fenton Sherwood, Melbourne, Florida, to transport passengers for hire, December 28, 1939.

PERMIT No. 507—City Cab Company, Inc., Orlando, Florida, to transport passengers for hire, December 28, 1939.

PERMIT No. 508—Luther T. Cone, West Palm Beach, Florida, to transport passengers for hire, December 28, 1939.

PERMIT No. 509—Wm. F. Bachstet, West Palm Beach, Florida, to transport passengers for hire, December 28, 1939.

PERMIT No. 510—Jacob Levine, Miami Beach, Florida, to transport passengers for hire, December 28, 1939.

PERMIT No. 511—Miami Sedan Service, Miami, Florida, to transport passengers for hire, December 28, 1939.

PERMIT No. 512—Fogarty Bros. Transfer, Inc., Bradenton, Florida, to transport special passenger over state highways and county roads to and from where laborers are located.

PERMIT No. 513—Howard B. Helms, St. Petersburg, Florida, to transport passengers, December 28, 1939.

PERMIT No. 514—Ray Crum, West Palm Beach, Florida, to transport passengers, December 28, 1939.

THE FOLLOWING WRECKS WERE REPORTED BY TRUCK AND BUS LINES TO THE RAILROAD COMMISSION FOR THE YEAR 1939

Central Truck Lines, Inc., Tampa, Florida.

Accident October 29, 1939—Tractor and semi-trailer was parked on the highway with flares burning and was hit by a truck belonging to Wilson & Toomer Fertilizer Company, Jacksonville, Florida, which accident proved fatal to William Gandy, occupant of Wilson & Toomer's truck.

Florida Motor Lines Corp., Jacksonville, Florida.

Date of Accident, January 4, 1939—Car driven at estimated speed of 65-70 miles per hour crashed into rear of parked bus. Car driver under influence of liquor. Car wrecked. Bus damages \$75.00.

Date of Accident, January 15, 1939—Bus went in ditch to avoid hitting back of private car which suddenly slowed. Unable to apply full brakes due to wet and slippery road and unable to swerve left on account of approaching traffic. Wounded two passengers—damages to equipment, \$75.00.

Date of Accident, February 27, 1939—Cause of accident still undetermined. Driver states bus would not respond when he tried to pull to center of road as he approached a small concrete culvert, and bus struck railing. Thorough investigation failed to locate any mechanical defect or imperfection in steering mechanism. Wounded four passengers. Damages to equipment, \$250.00.

Date of Accident, March 14, 1939—Man riding bicycle swerved in front of bus and was struck by bus side view mirror. Damages to equipment, \$5.00.

Date of Accident, March 20, 1939—Collided with cars as second car ahead suddenly slowed and started to make left turn. Passengers wounded, one. Others, two. Damages to equipment, \$25.00.

Date of Accident, March 21, 1939—In dense mixture of fog and smoke, bus ran into rear of truck parked on highway without flares. Passengers injured, six. Others, one. Damages to equipment, \$125.00.

Date of Accident, April 3, 1939—Passenger got thumb caught in rear door as another passenger closed it. Passengers wounded, one.

Date of Accident, April 5, 1939—Approaching car made sudden left turn directly in front of bus and was struck. Other wounded. Damage to equipment, \$100.00.

Date of Accident, April 7, 1939—Collided with automobile which made left turn onto highway. Other wounded, one. Damage to equipment was undetermined.

Date of Accident, April 15, 1939—Driver deadheading empty bus dozed and bus struck a tree. Driver wounded. Equipment damages undetermined.

Date of Accident, April 24, 1939—Negro man walked into side of bus without looking and wheel passed over his foot. Bus was slowly moving into loading position in bus terminal.

Date of Accident, April 26, 1939—Car started sudden left turn as bus was passing, forcing bus into ditch. Passengers wounded, two. Damages to equipment, \$200.00.

Date of Accident, May 19, 1939—Fruit spraying truck drove out of grove onto highway and started to turn back into grove when it was struck by northbound bus. Truck was heading south, on the east side of highway, and came out of the grove such a short distance ahead of bus that bus driver could not swerve enough to avoid collision. Passengers wounded, six. Others, one. Equipment damages, \$250.00.

Date of Accident, May 28, 1939—Truck ran into rear of bus while it was stopped picking up passengers. Bus had been stopped approxi-

mately 1½ minutes before accident occurred. Others injured, one. Equipment damages, \$50.00.

Date of Accident, June 6, 1939—Northbound small truck turned left into front of southbound bus. Bus had swerved to road shoulder in effort to avoid collision and at moment of impact was nearly half off the paving. There being reason to believe collision was result of attempt at suicide by truck driver. Others killed, one. Damages to equipment, \$200.00.

Date of Accident, July 16, 1939—Engine caught on fire—Passenger wounded, one. Damages to equipment, \$2,500.00.

Date of Accident, September 26, 1939—Right front tire blew out, causing bus to swerve into ditch. Passengers wounded, four. Damages to equipment, \$75.00.

Date of Accident, October 4, 1939—Truck driven by unlicensed negro made sudden left turn without signalling as bus was passing. Bus driver went off road to avoid a direct collision, but struck a tree. Passengers injured, four; employees wounded, one. Equipment damages, \$2,935.00.

Date of Accident, October 9, 1939—Negro man lying on road shoulder, got up and stumbled onto highway just as northbound bus and southbound car were passing. Bus struck pedestrian who was instantly killed. Damages to equipment, \$25.00.

Date of Accident, October 15, 1939—Car ahead of bus swerved left in apparent effort to prevent bus from passing. Car bumper hooked bus fender and car was overturned, rolling off left side of road. Others wounded, seven. Damages to equipment, \$5.00.

Date of Accident, December 22, 1939—Car ahead of bus had to stop suddenly, causing bus to make moderately quick stop. Aged woman slid out of front seat on floor of bus. Passengers wounded, one.

Date of Accident, December 24, 1939—Truck ahead of bus swerved right and stopped. In avoiding collision with truck, the bus was struck by an automobile. Others injured, one. Damages to equipment, \$30.00.

Date of Accident, December 28, 1939—Bus had just met several cars and in the instant after they passed saw a man in dark clothes walking down the highway immediately ahead of bus, in same direction. Bus swerved but there was not time enough to avoid striking the man who was killed by the impact. Damages to equipment, \$50.00.

**Pan-American Bus Lines,
Charlotte, N. C.**

Date of Accident, September 4, 1939—Bus was forced off highway near Hobe Sound, by a truck traveling in the opposite direction. Passengers wounded, ten.

**Tamiami Trail Tours, Inc.,
Tampa, Florida.**

Date of Accident, January 13, 1939—Bus caught on fire—cause undetermined. Injuries, none. Damages, total loss.

THE FOLLOWING PERMITS WERE CANCELLED 1939

Joel Beaudin, Delray Beach, Florida.
Burroughs Taxi Co., Winter Haven, Florida.
Frederick Becker, Miami Beach, Florida.
Charles W. Carr, Daytona Beach, Florida.
J. W. Conner & Sons, Tampa, Florida.
Tony Cardillo, Miami Beach, Florida.
Howard J. Cook, West Palm Beach, Florida.
James Downing, Miami Beach, Florida.
L. T. Davison, Palm Beach, Florida.
Elmer Dyer, St. Petersburg, Florida.
W. H. DaCamara, West Palm Beach, Florida.
John N. Durham, Hollywood, Florida.
Richard Charles Fulton, St. Augustine, Florida.
Clarence Elwood Franklin, West Palm Beach, Florida.
James Thomerson Ellis, Winter Park, Florida.
Rayburn W. Henley, West Palm Beach, Florida.
Hermann Hofman, West Palm Beach, Florida.
Fletcher P. King, West Palm Beach, Florida.
Ted Long, Lakeland, Florida.
Eugene J. Lecompte, West Palm Beach, Florida.
C. C. Lee, West Palm Beach, Florida.
C. R. Lindabury, Miami Beach, Florida.
Ralph R. Martin, Palm Beach, Florida.
Martin Minehan, Hollywood, Florida.
Ocala Dime Taxi Co., Inc., Ocala, Florida.
Harold F. Ober, Melbourne, Florida.
C. E. Peterson, Hypsaluko, Florida.
Warren Robbins, Orlando, Florida.
Mrs. Annie Silver, Bradenton, Florida.
Standard Auto Sales Co., Daytona Beach, Florida.
Sarasota Transit, Sarasota, Florida.
Frederic Spuck, Miami Beach, Florida.

Charles Tice, St. Petersburg, Florida.
 University Transit Co., Gainesville, Florida.
 A. J. Weekes, Miami Beach, Florida.
 James Wilburn, West Palm Beach, Florida.
 Meyer Wallenstein, Miami Beach, Florida.
 Thos. E. Williams, St. Petersburg, Florida.

COMMON CARRIERS

March 22, 1940.

B—Denotes Bus

T—Denotes Truck

Name and Address and Type of Carrier	Certificate No.
B—Atlantic Greyhound Corporation 601 Virginia Street, Charleston, West Virginia	Nos. 1-A, 130 132 and 160
T—Atlantic Coast Line Railroad Co., Port Tampa, Florida	17
T—W. L. Akins Transpn. Co., Inc., 1418 West Church Street, Jacksonville, Florida	70
T—Acme Freight Lines, Inc., 141 Davis Street, Jacksonville, Florida	185
T—Brown Motor Freight Lines, Inc., Foot Newman Street, Jacksonville, Florida	91
T—Bee Line Transfer Company, 237 S. Water Street, Tampa, Florida	9
B—Cosson, A. D., DeFuniak Springs, Florida	223
T—Central Truck Lines, Inc., 405 Eunice Street, Tampa, Florida	56
T—C. & H. Transfer & Stg. Co., Ft. Lauderdale, Florida	147
B—Clarke Motor Lines, Donaldsonville, Georgia	214
B—Florida Motor Lines, Inc., 1020 Barnett National Bank Bldg., Jacksonville, Fla.	8
B—Fort Myers Transit Company Fort Myers, Florida	202

T—Fogarty Bros. Transfer Co., Inc., 824 12th Avenue, Bradenton, Florida	65
T—	
B—Florida East Coast Ry. Co., St. Augustine, Florida	188
T—Five Transportation Company, 301 Gloucester Street, Brunswick, Georgia	15
B—Gulf Coast Motor Lines, Inc., Tampa, Florida	162
B—	
T—Gator Motor Lines, Inc., St. Augustine, Florida	208
B—Georgia Stage, Inc., Albany, Georgia	194
T—Green Bros. Transfer Co., Box 52, Clearwater, Florida	11
T—Great Southern Trucking Company 1961 Clarkson Street, Jacksonville, Florida	180 and 52
T—Hunt Truck Line, 302 N. Jefferson Ave., Tampa, Florida	166
T—Highway Transportation Company Blountstown, Florida	128
T—K. & L. Transportation Company, Inc., 802 Ava Street, Waycross, Georgia	178
B—Kettner, Mary M, d/b/a Glades K. Motor Line 127 Sea Spray Avenue, West Palm Beach, Florida	108
T—L. & L. Freight Lines, Inc., 1418 West Church Street, Jacksonville, Florida	14
B—Lee's Coach Lines, Marianna, Florida	4
B—Miller, John Oliver, St. Augustine, Florida	210
B—Myers, Fred W., 116 N. W. 2nd Street, Miami, Florida	140
T—Marshall, Henry Ft. Lauderdale, Florida	168

B—Monroeville Bus Company, Monroeville, Alabama	200
B—	
T—McJunkin, Wayne F., Box 194, Fernandina, Florida	42
T—Overseas Transportation Co., Inc., 228 S. W. North River Drive, Miami, Florida	146
B—Orlando Transit Co., Orlando, Florida	209
T—Peters Truck Line, 86 West King Street, St. Augustine, Florida	44
T—Grover Pittman d/b/a Pittman Truck Line, Pensacola, Florida	124
B—Redd, Henry J., d/b/a Monticello Bus Co., Tallahassee, Florida	123
B—	
T—St. Andrews Bay Transpn. Co., Panama City, Florida	138
B—Southeastern Greyhound Lines, Inc., 67 Ellis Street, East, Atlanta, Georgia	1
B—Southern Tours, Inc., 25 Fourth St., North, St. Petersburg, Florida	60
T—Seaboard Air Line Ry. Co., Receivers Norfolk, Virginia	183
T—Star Truck Line 230 S. Water St., Tampa, Florida	37
T—St. Johns River Line Company Foot Ocean St., West, Jacksonville, Florida	80
B—Suwannee River Bus Line, Homerville, Georgia	222
B—Suwannee & Gulf Stages, Mayo, Florida	220
B—Teche Lines, Inc., 400 Rampart St., North, New Orleans, Louisiana	18
B—Town-of-Pass-a-Grille, Pass-a-Grille Beach, Florida	90

B—	
T—Tamiami Trail Tours, Inc., 1010 East Lafayette St., Tampa, Florida	28
B—Union Bus Company, 124 Jefferson Street, Jacksonville, Florida	26
T—Union Express Freight Co., N. W. Corner Commerce & Conti, Sts., Mobile, Ala.	94
T—University City Transfer, 226 W. Main St., South, Gainesville, Florida	89
B—Wise Motor Line, Crestview, Florida	216
B—	
T—West Florida Transpn. Co., P. O. Box 626, Dothan, Alabama	211

CONTRACT CARRIERS

March 22, 1940.

Name and Address	Certificate No.
J. J. Blalock, Ocala, Florida	218
J. H. Buie, Gainesville, Florida	219
Arthur S. Burgess, Ocala, Florida	184
Blue's Truck Line, Inc., Live Oak, Florida	111
Percy Cox, 597 N. W. 69th St., Miami, Florida	196
Coats Motor Transfer Co., Ft. Pierce, Florida	46
Cooper Truck Line, Rt. 5, Box 94, Jacksonville, Florida	75
G. J. Creeden, Orlando, Florida	203
G. J. Curran Jacksonville, Florida	193

Florida Highway Express Co., Madison and Brush Sts., Tampa, Florida	61
Green Transfer Co., P. O. Box 52, Tampa, Florida	149
J. M. Gooding, Woodbine, Georgia	199
Holstun & Sons, Ocala, Florida	121
James, Mrs. Susie G., 7606 Nebraska Ave., Tampa, Florida	20
Kelley, J. J., Orlando, Florida	191
Lane, John G., Jacksonville, Florida	215
Peterson, L. L., Lakeland, Florida	369
National Convoy & Trucking Co., Box 781, Jacksonville, Florida	122
O'Steen, N. B., High Springs, Florida	205
Newhall, John E., Standard Oil Plant No. 1, Tampa, Florida	68
Petroleum Carrier Corp., P. O. Box 677, Jacksonville, Florida	19
Ryder Trucking Co., 93 N. E. 20th St., Miami, Florida	204
Ridgeway Transfer Co., Inc., Daytona Beach, Florida	131 and 129
Richards, Thomas L., West Palm Beach, Florida	225
Robinson Transfer, 641 N. Lexington Ave., Orlando, Florida	156
Shipe Trucking Co., Winter Haven, Florida	224
Smith, E. S., Jacksonville, Florida	190

Sarasota Transfer Company, Sarasota, Florida	217
Terminal Transfer Co., c/o A. & P. Tea Co., Jacksonville, Florida	192
Warehouse, Inc., Tampa, Florida	179
Yarnall Warehouse, Lakeland, Florida	201

LIMITED COMMON CARRIERS

March 22, 1940.

(HOUSEHOLD GOODS)

Name and Address	Certificate No.
American Transfer Company, Tampa, Florida	213
Abb's Transfer Service Co., 700 N. Conception St., Mobile, Alabama	254
Armstrong & Sons Stg., Co., Daytona Beach, Florida	157
Aero Mayflower Transit Co., 1213 N. Meridian St., Indianapolis, Indiana	147
Arrow Transfer Co., Tampa, Florida	165
Ace Transfer, 842 1st Ave., North, St. Petersburg, Florida	335
Arnold & Son Transfer & Stg., 2600 W. Broadway, Louisville, Ky.	266
Ace Transfer Co., Sarasota, Florida	149
Burgess, Arthur S., Ocala, Florida	149
Burnham Furniture Company, Columbus, Georgia	5
Brandon Transfer & St., 322 6th St., West Palm Beach, Florida	85
Brown Transfer & Stg., Co., West Palm Beach, Florida	221

Blocker Transfer and Stg., Co., Inc., St. Petersburg, Florida	2
Cruikshank Motor Truck Service, Jacksonville, Florida	249
C. & H. Transfer & Stg., Co., Ft. Lauderdale, Florida	147
City Transfer Co., Inc., Box 2870, Tampa, Florida	158
Colliers Terminal Whse. & Van Co., Ocala, Florida	31
Coats Motor Truck, Ft. Pierce, Florida	311
Central Transfer & Stg., Co., Tampa, Florida	163
Caldwell Bonded Warehouse, Inc., 101 12th St., Tampa, Florida	125
Cordell, Henry Elmer, Sanford, Florida	242
Dickinson, W. A., Transfer, 2335 N. Miami Ave., Miami, Florida	135
Dow, Maurice, Melbourne, Florida	182
Delcher Bros. Stg. Co., Inc., Jacksonville, Florida	116
DeLoach, S. L., New Smyrna, Florida	238
Dothan Transfer, Dothan, Alabama	227
Flash Express & Stg. Co., Inc., 251 S. W. 1st Court, Miami, Florida	301-A
Fidelity Stg. & Whse. Co., 53-61 W. Jackson St., Orlando, Florida	494
Ferris Warehouse & Stg. Co., Pensacola, Florida	239
Fulford Van & Stg. Co., 21 W. Central Ave., Orlando, Florida	105

Franklin's Transfer, P. O. Box 1983, Ft. Myers, Florida	153
Grubb, Paul Claude 2054 Main St., Jacksonville, Florida	250
Goodall Transfer & Stg. Co., Box 549, Tampa, Florida	123
Green Transfer Co., 1102 Ashley St., Tampa, Florida	149
Harrell Tr. & Stg. Co., Tallahassee, Florida	1
Howard Transfer Co., 229 Boone St., Orlando, Florida	310
Hudson Transfer Co., Columbus, Georgia	108
Haywood, Ben, 1404½ Tampa St., Tampa, Florida	16
Holland Transfer Co., Lakeland, Florida	87
Hill's Transfer, Tallahassee, Florida	258
Johnson, Bill Transfer Co., 710 5th Ave., North, St. Petersburg, Florida	158
Johansen, Walter, Pensacola, Florida	636
Kite Transfer, 440 W. Orange St., Gainesville, Florida	76
Lerette, A. J., 3325 N. W. 5th Ave., Miami Beach, Florida	351
Lee Terminal & Whse. Co., Box 1303, Tampa, Florida	127
Leonard Bros. Tr. & Stg., 1944 N. W. 7th Ave., Miami, Florida	169
Moed's Transfer Co., Jacksonville, Florida	5
Miller, John C., Miami, Florida	212

Ploof, H. C. Transfer Co., S. Jacksonville, Florida	138
Robinson, E. E., 506 Macy St., Orlando, Florida	304
Ramsey, Owen, Palatka, Florida	253
Rapid Express Co., 73 E. Church St., Jacksonville, Florida	119
Sanders Transfer & Stg. Co., 129 8th Ave., N., Nashville, Tenn.	293
Shaw Furniture Transfer, 1817 Liberty St., Jacksonville, Florida	40
Southern Transfer & Stg. Co., Inc., 1901 5th Ave. S., St. Petersburg, Florida	41
Settle Moving Packing & Stg. Co., 635 W. Main St., Louisville, Ky.	302
Suddath Moving & Stg. Co., 315 19th E. Bay St., Jacksonville, Florida	88
Service Transfer, 405 S. Poinsetta Ave., West Palm Beach, Florida	240
Suddath Moving & Stg. Co., 1727 Grand Central Ave., Tampa, Florida	130
Sarasota Transfer & Stg. Co., Sarasota, Florida	164
Twiss Transfer Co., 842 4th Ave., St. Petersburg, Florida	122
Tompkins, M. E., Lake City, Florida	241
Triangle Express Co., 1447 Drexel Ave., Miami Beach, Florida	307
Union Transfer & Stg. Co., 316 N. E. 14th St., Miami Beach, Florida	256
Van Horn Transfer & Stg. Co., Panama City, Florida	7
Weathers Bros. Transfer Co., Inc., 733 Blvd. N. E., Atlanta, Georgia	298

White Star Line, 413 W. Main St., Ocala, Florida	66
Weathers, Cary F. Transfer & Stg. Co., Augusta, Georgia	303
Withers, John E. Transfer Co., 1000 N. E. First St., Miami, Florida	118
Woodside, John J. Stg. Co., 259 Edgewood Ave., Atlanta, Georgia	2
Walker Warehouse, Inc., 521 Peachtree St., N. E., Atlanta, Georgia	3
Washington Stg. Co., Inc., 1001 Washington Ave., Miami Beach, Florida	248
White, A. C. Transfer & Stg., 414 Edgewood Ave., Atlanta, Ga.	306
Yarnall Warehouse & Tr. Co., Lakeland, Florida	133
Zorn Transfer Co., Palatka, Florida	6

SPECIAL PERMIT CARRIERS AND CERTIFICATE CARRIERS

March 22, 1940.

Name and Address	Permit No.
Burgess, Arthur S., Ocala, Florida	149
Blowers, Tom H., 1271 Hollywood Ave., Jacksonville, Florida	401
Blazer, H. B., Jr., Box 777, Punta Gorda, Florida	413
Bowden, Leroy Mainard, Perry, Florida	430
Cruikshank Motor Truck Service, Jacksonville, Florida	249
Cordell, Henry Elmer, Sanford, Florida	242
Conner, J. W. & Sons, Tampa, Florida	425

Dickinson, W. A., Transfer, 2335 N. Miami Ave., Miami, Florida	135
Fry, Emil, High Springs, Florida	497
Franklin's Transfer, P. O. Box 1983, Ft. Myers, Florida	153
Fidelity Stg. & Whse. Co., Orlando, Florida	494
Gatlin, James Frank, Jacksonville, Florida	141
Growers & Shippers Transfer Co., Pompano, Florida	140
Hollywood Stg. & Transfer, Hollywood, Florida	498
Holstun, L. W., Ocala, Florida	284
Hull, Roscoe L., Ft. Lauderdale, Florida	47
Kniffin Transfer Co., 240 S. W. River Driver, Miami, Florida	3
Kennelly Transfer & Stg. Co., 724 Pippin St., Jacksonville, Florida	134
Leonard Bros. Transfer & Stg. Co. 1944 N. W. 7th Ave., Miami, Florida	169
Metzger, L. E., Fernandina, Florida	368
McFarlin, Marcus N., Tampa, Florida	361
Ploof, H. C. Transfer, S. Jacksonville, Florida	138
Slauson, Albert Erwin, 615 Brookhaven Dr., Orlando, Florida	189
Tompkins, M. E., Lake City, Florida	241
Union Transfer & Stg. Co., 316 N. E. 14th St., Miami, Florida	256

White Star Line,
413 W. Main St., Ocala, Florida

66

Withers, John E. Transfer Co.,
1000 N. E. First St., Miami, Florida

118

PASSENGER PERMITS

Allison, Truman E.,
415 Eleventh Street,
West Palm Beach, Florida.

Barrenblatt, F. R.,
641 Meridian Ave.,
Miami Beach, Florida.

Acme Cab Company,
340 Twenty-third St.,
Miami, Florida.

Bell, Edward,
437 Collins Ave.,
Miami Beach, Florida.

Adelson, Elkin M.,
944 Fifth St.,
Miami Beach, Florida.

Berger, Sigmund,
744 Jefferson Ave.,
Miami, Florida.

Ace Cabs Company,
1031 Fifth St. (626 5th St.)
Miami, Florida.

Beaudin, Joel,
Atlantic & Federal Highway,
Delray Beach, Florida.

Armstrong, W. A.,
Bradenton, Florida.

Boyd, Dan,
Hollywood, Florida.

Alexander, T. E.,
Punta Gorda, Florida.

Barnett, Wm.,
Miami Beach, Florida.

Ambrose, Fred,
West Palm Beach, Florida

Black, Wm. J.,
West Palm Beach, Florida.

Barrenblatt, Henry R.,
202 Ocean Drive,
Miami Beach, Florida

Breton, A. W.,
Palm Beach, Florida.

Brown, William,
1413 N. W. 4th Ave.,
Miami Beach, Florida.

Bradley, Kenith A.,
West Palm Beach, Florida.

Barrenblatt, Sol,
202 Ocean Drive,
Miami Beach, Florida.

Blue and Gray Cab Company,
115 W. Flagler St.,
Miami, Florida.

Binder, A. H.,
218 Fifth St.,
Miami Beach, Florida.

Bedsoe's Service,
Winter Park, Florida.

Bowers, Dallas,
Winter Park, Florida.

Blue, Harmon,
Lakeworth, Florida.

City Storage Garage,
Winter Park, Florida.

Cole, Bert L.,
Gasparilla, Florida.

Club Transportation Service, Inc.
Coral Gables, Florida.

Catikos, Thomas,
No. 1 Smith Cottage,
Miami Beach, Florida.

Chauncey, Bernard,
Miami Beach, Florida.

Cohen, Samuel,
140 Washington Ave.,
Miami Beach, Florida.

Charles, George,
P. O. Box 143,
Riviera, Florida.

Callery, J. T.,
833 W. Avenue,
Miami Beach, Florida.

Century Cab Co.,
Miami Beach, Florida.

Clott, Raymond F.,
West Palm Beach, Florida.

Cone, Luther,
West Palm Beach, Florida.

Crum, Ray,
West Palm Beach, Florida.

City Cab Co., Inc.,
Orlando, Florida.

Durham, W. R.,
508 "O" St.,
West Palm Beach, Florida.

Daley, J. F.,
628 Evernia St.,
West Palm Beach, Florida.

Deuchare, E. R.,
Hollywood, Florida.

Dacamar, W. H.,
West Palm Beach, Florida.

Duel, Edward,
Pass-a-Grille, Florida.

Diamond Cab Company,
2003 Grand Central Ave.,
Tampa, Florida.

Dovsky, Louis,
540 Washington Ave.,
Miami Beach, Florida.

Economy Cab Company,
Orlando, Florida.

Eskriggs, Charlotte,
2234 W. Harding St.,
Hollywood, Florida.

Economy Cab Company of Tampa,
8017 Nebraska Loop,
Tampa, Florida.

Ellis, James T.,
120 E. Park Ave.,
Winter Park, Florida.

Farrow, Lester,
Lake Worth, Florida.

Favor, Dolly, Mrs.,
Winter Park, Florida.

Florida Cab Company,
Tampa, Florida.

Franko, Joe,
1068 N. Narcissus Ave.,
West Palm Beach, Florida.

Frazin, Nate,
520 Ocean Dr.,
Miami Beach, Florida.

Freeman, Henry,
Box 913,
Miami Beach, Florida.

Flamingo Taxi Service, Inc.,
Miami Beach, Florida.

Farrell, Joseph J.,
826 Collins Ave.,
Miami Beach, Florida.

Fisher, D. W.,
Miami, Florida.

Fische, Joseph,
West Palm Beach, Florida.

Franklin, C. Elwood,
Lake Worth, Florida.

Frey, Emerson,
West Palm Beach, Florida.

Frankes, Joseph,
St. Petersburg, Florida.

Fox, Edmund,
Jacksonville, Florida.

Frosch, William,
c/o Everglades Club, Worth Ave.,
West Palm Beach, Florida.

Foster, George,
Winter Park, Florida.

Gilbert, W. A.,
2223 Second Ave., W.,
St. Petersburg, Florida.

Groves, Theodore,
140 Washington Ave.,
Miami Beach, Florida.

Holder, Clyde,
Miami Beach, Florida.

Helms, Howard,
St. Petersburg, Florida.

Headland, Frank,
Royal Park Garage Apts.,
Palm Beach, Florida.

Hever, Jack B.,
St. Petersburg, Fla.
Hatfield, Harold M.,
Daytona Beach, Florida.

Hall, M. F.,
6 S. Ft. Harrison Ave.,
Clearwater, Florida.

Hill's Inc.,
25 4th St., N.,
St. Petersburg, Florida.

Helmich, George,
West Palm Beach, Florida.

Higgins, Richard,
614 35th St.,
West Palm Beach, Florida.

Hinde, A. T.,
611 10th St., N.,
St. Petersburg, Florida.

Isrial, Henry,
805 11th St., N.,
St. Petersburg, Florida.

Haggerty, Eugene M. Jr.,
Palm Beach, Florida.

Jackson, John E.,
3604 Arlington Ave.,
Tampa, Florida.

Johnson, J. Earl,
324 20th St.,
West Palm Beach, Florida.

Kay, Murray,
622 Lenox Ave.,
Miami Beach, Florida.

Knopp, Bernard,
704 First St.,
Miami Beach, Florida.

Kibbe, Mrs. Ida W.,
227 Sunset Ave.,
Palm Beach, Florida.

Keitner, Mary M.,
310 Evernia St.,
West Palm Beach, Florida.

Langlois, Welfored H.,
West Palm Beach, Florida.

Levine, Joseph,
Miami Beach, Florida.

Lind, Philip,
Brandenton, Florida.

Lantz, Leon Chapman,
153 Phelps St.,
Jacksonville, Florida.

Lucas, Joseph F.,
Brafford Apts., Pilgrim Rd.,
West Palm Beach, Florida.

Lord, E. B.,
Sarasota, Florida.

Livingston, Randolph,
420 Aveneda Allegra,
West Palm Beach, Florida.

Luterman, John,
Sarasota, Florida.

Muller, Edwin T.,
1310 Avenue "A"
West Palm Beach, Florida.

Mount, Seeley P.,
c/o Tropical Cab Co.,
Miami Beach, Florida.

Marks, Samuel,
443 Washington Ave.,
Miami Beach, Florida.

Miller, J. O. Cab Company,
St. Augustine, Florida.

Miami For Hire Car Association,
Inc.,
11 N. E. Third Avenue,
Miami, Florida.

Miller, H.,
739 Fourth St.,
Miami Beach, Florida.

Mountain Lake Corporation,
Lake Wales, Florida.

Murphy, David,
Box 2361,
Palm Beach, Florida.

Benjamin Franklin Morrison,
845 17th Avenue South,
St. Petersburg, Florida.

Miami Sedan Service and Members
Miami, Florida.

Martin, Ralph,
Palm Beach, Florida.

McKnight, James,
Maitland, Florida.

Miller, Lester B.,
West Palm Beach, Florida.

McCloy, H. M.,
425 Fourth St.,
West Palm Beach, Florida.

McGowan, G. S.,
511 12th St.,
West Palm Beach, Florida.

Neal, Frederick Joseph,
617 Fiftieth St.,
West Palm Beach, Florida.

Nimmons, Orin M.,
715 Sixth Avenue South,
St. Petersburg, Florida.

Oatway, Alfred G.,
619 30th St.,
West Palm Beach, Florida.

O'Neal, Ilda,
601 Wildwood Way,
Clearwater, Florida.

Pitman, Miss Mildred A.,
231 Walton Blvd.,
West Palm Beach, Florida.

Pritchard, Wilbert R.,
300 23rd St.,
Miami, Florida.

Pressley, Walter W.,
Ft. Myers, Florida.

Palmer, Percy F.,
756 Bay St., N. E.,
St. Petersburg, Florida.

Parsons, Archibald, F.,
435 South Osceola St.,
Orlando, Florida.

Prevatt, Charles,
Ft. Myers, Florida.

Purcell, Rufus L.,
515 Pilgrim Road,
West Palm Beach, Florida.

Pennell, George E.,
Box 898,
Palm Beach, Florida.

Pompano Cab Service,
Pompano, Florida.

Presley, W. Quenton,
Ft. Myers, Florida.

Pezzulli, William G.,
St. Petersburg, Florida.

Phillips, George Eddie,
145 Northwest 62nd St.,
Miami, Florida.

Pomeroy, George W.,
105 Second Ave., N. E.,
St. Petersburg, Florida.

Pfaffin, George W.,
416 52nd St.,
West Palm Beach, Florida,

Rich, Capt. Harry C.,
1949 Madison Ave.,
Hollywood, Florida.

Raymond, Gould,
Daytona Beach, Florida.

Red Top Cab & Baggage Co.,
44 S. W. 3rd St.,
Miami, Florida.

Rines, George Henry, Jr.,
231 Main St.,
Palm Beach, Florida,

L. L. Adams, Jr., d/b/a,
Red Adams For Hire Cars,
Miami, Florida.

Rite Rate Cab Company,
110 Central Ave.,
St. Petersburg, Florida.

Richardson, F. G.,
724 Third St., N.,
St. Petersburg, Florida.

Ridgeway Transfer Co., Inc.,
Daytona Beach, Florida.

Royal Palm Sightseeing Co.,
44 S. W. Eighth St.,
Miami, Florida.

Rogers, D. R.,
Sebring, Florida.

Rogel, Albert,
Miami Beach, Florida.

Rubin, Joe,
203 Collins Ave.,
Miami Beach, Florida.

Rappaport, L.,
845 N. W. 7th Ave.,
Miami, Florida.

Rollings, Geo. T.,
23 Hogan St.,
Jacksonville, Florida.

Seaman, Ralph Henry,
Miami Beach, Florida.

Slaick, Earl H.,
Hollywood, Florida.

Singer, Sall,
66 Collins Ave.,
Miami Beach, Florida.

Segal, Annie,
100 Ocean Drive,
Miami Beach, Florida.

St. Augutsine Transfer Co.,
St. Augustine, Florida.

Storjohan, John,
Winter Park, Florida.

Sun Cab Company, Inc.,
108 Fourth St., South,
St. Petersburg, Florida.

Springer Motor Company,
Hollywood, Florida.

Stubbs, Henshall W.,
Village Hotel Apts.,
Miami Beach, Florida.

Sargent, Walter W.,
839 Hansen St.,
West Palm Beach, Florida.

Sam's Taxi Travel & Baggage
Service, Inc.,
Coral Gables, Florida.

Smith, Gordon,
Bradenton, Florida.

Sullivan, Wm. J.,
Palm Beach, Florida.

Stanley, Elmer,
West Palm Beach, Florida.

Sherwood, Lawrence F.,
Melbourne, Florida.

Safety Cab Company, Inc.,
Jacksonville, Florida.

Spangoli, Theodore,
Hollywood, Florida.

Schwartz, Henry,
132 Eighth St.,
Miami Beach, Florida.

Swaggerty, C. L.,
Ft. Lauderdale, Florida.

Siroto, Michael,
Miami Beach, Florida.

Trotter, James L.,
Ocala, Florida.

Takash, Carl A.,
Sanford, Florida.

Tedder, Thomas Horrace,
Lake Wales, Florida.

Thomas, James H.,
1162 Highland St., N.,
St. Petersburg, Florida.

Tobin, Ralph,
Hollywood, Florida.

Tribeck, W. E.,
230 E. 7th St.,
Jacksonville, Florida.

Twee, Victor,
253 Atlantic Ave.,
Palm Beach, Florida.

Thompson, Thad O.,
Bradenton, Florida.

Underhill, G. H.,
Ormond Beach, Florida.

Usher's Garage & Taxi Service, Inc.
219 29th St.,
Miami Beach, Florida.

U-Drive-It of Miami, Inc.,
Miami, Florida.

Upton, Harold F.,
519 Sunset Road,
West Palm Beach, Florida.

Upper Saranac Company, Inc.,
Daytona Beach, Florida.

Villemagne, Harry L.,
426 Euclid Ave.,
Miami Beach, Florida.

Varney, Allen V., Inc.,
526 15th Ave., N. E.,
St. Petersburg, Florida.

Venetian Way Coaches,
1142 N. W. 6th St.,
Miami, Florida.

Whitley, Wm. G.,
Miami, Florida.

Wedekind, Dick,
West Palm Beach, Florida.

Wallenstein, Meyer,
Miami Beach, Florida.

Wells, Frank E.,
St. Augustine, Florida.

Wagner, Robert F.,
West Palm Beach, Florida.

Walrad, J. M.,
118 Hammond Ave.,
Palm Beach, Florida.

Walker, L. A.,
St. Petersburg, Florida.

Wacker, Anton,
445 Braziala,
Palm Beach, Florida.

Wilson, C. R.,
Box 265,
Hollywood, Florida.

White Line Cabs, Inc.,
1545 Alton Road,
Miami Beach, Florida.

Williams, James C.,
Trailer Garden,
Okeechobee Road,
West Palm Beach, Florida.

Yellow Cab Company
(also Baggage)
Miami, Florida.

Yellow Cab and Transfer Co., Inc.,
St. Petersburg, Florida.

Yellow Taxicab and Transfer Co.,
Tampa, Florida.

Yasner, Stanley,
1402 Collins Ave.,
Miami Beach, Florida.

Yeilding, Mrs. W. J.,
615 Kanuga Dr.,
West Palm Beach, Florida.

Young, Philip,
West Palm Beach, Florida.

Zeman, John,
West Palm Beach, Florida.

Zitel, Frederick B.,
West Palm Beach, Florida.

CERTIFICATE OF REGISTRATION

A & M Return Load,
1608 Sycamore St.,
Cincinnati, Ohio,

Anaconda Van Lines,
2735 Lincoln Avenue,
Chicago, Illinois,

Allied Van Lines, Inc.,
1018 S. Wabash Avenue,
Chicago, Illinois.

Alabama Transfer & Stg. Co.,
501 N. Perry Street,
Montgomery, Alabama.

Blanchard, Henry M.,
570 S. Crest Road,
Chattanooga, Tennessee.

Brown Tr. & Stg. Co.,
Rome, Georgia.

Baggett Transport Co., Inc.,
2417 First Ave., South,
Birmingham, Alabama.

Burnett, Geo. F., Co., Inc.,
1204 Prarie Ave.,
South Bend, Indiana.

Brockett, C. B.,
Bainbridge, Georgia.

Carolina Transfer & Stg. Co.,
1230 W. Marchheads St.,
Charlotte, North Carolina.

Chattanooga Tr. & Stg. Co., Inc.,
915 Carter St.,
Chattanooga, Tennessee.

Central Van & Stg. Co.,
521 8th Ave.,
Nashville, Tennessee.

Continental Carriers, Inc.,
215 Courtland St., N. E.,
Atlanta, Georgia.

Continental Van Lines,
Box 6, N. 21st,
Birmingham, Alabama.

Clark, James M.,
Nashville, Tennessee.

Caton, John R.,
Andalusa, Alabama.

Chancey, Lewis Gerald,
Hartford, Alabama.

Chastain Tr. Co.,
Thomasville, Georgia.

Cole, Jack Co.,
Birmingham, Alabama.

Deaton Truck Line,
Birmingham, Alabama.

DeVane, Charles,
Rt. 2,
Dothan, Alabama.

Dealers Transport Co.,
7009 S. Chicago Ave.,
Chicago, Illinois.

Dove, John H.,
110 S. St., Andrews St.,
Dothan, Alabama.

Dean, J. L.,
Pinckard, Alabama.

Dunn Bros. Trucking Co.,
Dallas, Texas.

Dixie Transport Co.,
Atlanta, Georgia.

Edelen Tr. & Stg. Co.,
709 11 N. Broadway,
Knoxville, Tennessee.

Ellis Moving Co. & Safe Van Lines,
235 Main St.,
Nashville, Tennessee.

Ford Bros Van & Stg. Co.,
1024 Dodge St.,
Omaha, Nebraska.

Furgate & Girtton Driveway Co.,
Brazil, Indiana.

Fiveash, A. E. and Co.,
Brunswick, Georgia.

Greyvan Lines, Inc.,
1308 S. Michigan Ave.,
Chicago, Illinois.

Gatherwood, Roy,
Monroeville, Ohio.

Great Lakes Driveway Corp.,
Cleveland, Ohio.

Harris Transfer & Warehouse Co.,
8 S. 13th St.,
Birmingham, Alabama.

Howard Hall Co., Inc.,
2809 Second Ave., South,
Birmingham, Alabama.

Juett, Howard W.,
15 S. Erwin St.,
Cartersville, Georgia.

K & L Transpn. Co.,
Waycross, Georgia.

Kenosha Auto Transport Corp.,
Kenosha, Wisconsin.

Keal, I. E.,
810 E. 82nd St.,
Cleveland, Ohio.

Lawrence Brothers,
Chapel Hill, Tennessee.

Malcom & Malcom,
2309 McRae St.,
Orlando, Florida.

Mrazek, J. A. Transfer & Stg. Co.,
511 Locust St.,
St. Louis, Missouri.

McAlister Tr. Co.,
Charleston, South Carolina.

Malone Horse Transport Co.,
Coral Gables, Florida.

Motor Convoy Co., Inc.,
Atlanta, Georgia.

Maxwell, Wm. Ray,
Tallahassee, Florida.

O K Storage & Tr. Co. Inc.,
161 Jefferson Ave.,
Memphis, Tennessee.

Pan-American Bus Lines,
Charlotte, North Carolina.

Pendleton, Wm. F.,
Valdosta, Georgia.

Philadelphia Detroit Lines, Inc.,
119 Center Ave.,
Butler, Pennsylvania.

Pyramid Moving Co.,
Cleveland, Ohio.

Quidley, Hattie A.,
Charleston, North Carolina.

Red Comet Van Lines, Inc.,
New York City.

R. C. Motor Lines,
High Point, North Carolina.

Russell C. House Tr. & Stg. Co.,
135 Auburn Avenue,
Atlanta, Georgia.

Smith, Ralph G.,
205 N. Penn St.,
West Chester, Pennsylvania.

Sloan's Moving & Stg. Co.,
1167 Hodiarnont Ave.,
St. Louis, Missouri.

Shaff Transfer & Stg. Co.,
604 Cotton St. Bldg.,
Nashville, Tennessee.

Sober, Howard, Inc.,
1108 S. Wash. Ave.,
Lansing, Michigan.

Sanders, Raymond R.,
Springfield, Missouri.

Service Driveway Corp.,
Detroit, Michigan.

Trawick, S. E.,
Bay Minette, Alabama.

Transportation, Inc.,
Atlanta, Georgia.

Thompkins, W. H. Co., Inc.,
Nashville, Tennessee.

Truckway Corp.,
342 Raeburn St.,
Pontiac, Michigan.

United Security Assoc. Whse. Inc.,
243 W. 60th St.,
New York City.

Wimberly Transfer,
Valdosta, Georgia.

Wise Motor Line,
Crestview, Florida.

**Motor Transportation
Orders**

ORDER NO. 1122,

DOCKET NO. 100-15.

IN RE: APPLICATION OF BEE LINE TRANSFER COMPANY, TAMPA, FLORIDA, FOR AN EXTENSION OF ITS COMMON CARRIER CERTIFICATE NO. 9 TO SERVE ST. PETERSBURG AND THE ADJOINING TERRITORY INCLUDING MADERIA BEACH, ST. PETERSBURG BEACH, TREASURE ISLAND BEACH, LONG KEY AND PASS-A-GRILLE.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing before the Railroad Commission of the State of Florida at St. Petersburg, Florida, on December 6, 1938 pursuant to Notice No. 601. The following appeared:

McCarthy Crenshaw for the applicant.

Sidney Allen and John Allison for Central Truck Lines and Great Southern Trucking Company, protestants.

John A. Bliss for St. Johns River Line Company in support of the application.

2. The applicant for many years has held Certificate of Public Convenience and Necessity No. 9 authorizing it to operate as a Common Carrier between Tampa and St. Petersburg via the Gandy Bridge. It now seeks authority to serve the towns and communities near St. Petersburg in the southern part of Pinellas County. These are Pinellas Park, Seminole (where the United States Veteran's Hospital is located) Madeira Beach, Treasure Island, Long Key and Pass-a-Grille Beach.

3. The Commission has given careful consideration to the effect that the granting of this application will have upon other transportation agencies in this field and upon transportation as a whole, and is of opinion that the applicant should have the right to serve this territory surrounding St. Petersburg and that public convenience and necessity require the granting of this application.

WHEREFORE it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of Bee Line Transfer of Tampa, Florida, for extension of its Certificate of Public Convenience and Necessity to include service to Pinellas Park, Seminole, Maderia Beach, Treasure Island, Long Key and Pass-a-Grille Beach be and the same is hereby GRANTED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of January, 1939.

ORDER NO. 1123,

DOCKET NO. 181.

IN RE: APPLICATION OF RAILWAY EXPRESS AGENCY, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A COMMON CARRIER OF RACE-HORSES, SADDLE HORSES, POLO PONIES, BETWEEN CERTAIN POINTS IN DADE COUNTY, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

ORDER DENYING PETITION TO SET ASIDE ORDER NO. 1106 GRANTING REHEARING.

1. The Railroad Commission by Order No. 1106 dated January 6, 1939, reopened the above cause and granted a rehearing to the Railway Express Agency, Inc. This petition seeks to have that order rescinded so that a rehearing will not be held.

2. This petition having been considered by the Commission and having been argued by Counsel, and the Commission being fully advised in the premises:

It is, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the petition of JOHN E. WITHERS TRANSFER & STORAGE COMPANY, INC., and LEONARD BROTHERS TRANSFER & STORAGE COMPANY, INC., to set aside Order No. 1106 dated January 6, 1939, be and the same is hereby DENIED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 18th day of January, 1939.

ORDER NO. 1124,

DOCKET NO. 100-40.

IN RE: PETITION OF J. G. COATS DOING BUSINESS AS COATS MOTOR TRANSFER COMPANY FOR EXTENSION OF CONTRACT CARRIER CERTIFICATE NO. 46 TO HAUL GROCERIES, GOODS, WARES AND MERCHANDISE FOR THE GREAT ATLANTIC & PACIFIC TEA COMPANY FROM JACKSONVILLE TO VARIOUS POINTS IN THE STATE OF FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

This matter coming on for consideration before the Railroad Commission upon petition for rehearing and it appearing that by Order No. 1076 dated May 30, 1938 this application was denied without prejudice

to the right of the applicant to renew said application at some future date, and it further appearing that by Order No. 1096, dated October 17, 1938, this matter was reopened and reheard and again denied, and the applicant not having set out in its present petition for rehearing any evidence that would tend to show public convenience and necessity for this operation:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the petition for rehearing be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 9th day of February, 1939.

ORDER NO. 1125,

DOCKET NO. 100-142.

IN RE: REVISION OF SCHEDULE OF PASS-A-GRILLE BEACH,
Florida.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

By Order No. 1111 dated January 16, 1939, the town of Pass-a-Grille Beach, Florida, was ordered and directed to extend its Certificate of Public Convenience and Necessity to include the transportation of passengers and light express between St. Petersburg Beach and Indian Rocks over State Highway No. 233 and was ordered to file with this Commission copies of its schedule for such service, and copies of said schedule having been filed with the Commission:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the schedule of the town of Pass-a-Grille Beach, copy of which is attached hereto and made a part of this order, be and the same is hereby **APPROVED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of February, 1939.

ORDER NO. 1126,**DOCKET NO. 199.**

IN RE: REVISION OF SCHEDULE OF OVERSEAS TRANSPORTATION COMPANY, INC., OF MIAMI, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

This matter coming on for consideration before the Commission upon the application of OVERSEAS TRANSPORTATION COMPANY, INC., to change its schedule No. 5 so that its departure time southbound is moved forward one hour to leave MIAMI at 1:00 A. M., instead of 2:00 A. M., and Northbound departure time has been changed from 9:00 A. M., to 1:00 A. M., and it appearing that these changes are required to meet the Hours of Service regulations of the Interstate Commerce Commission which go into effect on March 1st:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Time Table No. 1, Schedule No. 6 of Overseas Transportation Company, Inc., superseding and canceling Schedule No. 5, copy of which is hereby made a part of this order, be and the same is hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of February, 1939.

ORDER NO. 1127,**DOCKET NO. 317.**

IN RE: JOINT PETITION OF ESTHUS TRANSFER COMPANY AND ACE TRANSFER COMPANY, BOTH OF SARASOTA, FLORIDA, FOR APPROVAL OF TRANSFER OF CERTIFICATE OF ESTHUS TRANSFER COMPANY TO ACE TRANSFER COMPANY.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

It appearing that Arthur E. Esthus, sole owner of the Esthus Transfer Company has sold and transferred Permit No. 245 authorizing it to transport household goods to the Ace Transfer Company and that the Ace Transfer Company has taken over and is operating the business formerly operated by Esthus Transfer Company, and expects to continue to operate said business, and it appearing that public convenience and necessity will be best served by the merger of such companies, and the said Ace Transfer Company has agreed to operate said business under the rules and regulations of this Commission:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the sale and transfer of Permit No. 245 from Esthus Transfer Company (Arthur E. Esthus sole owner) to Ace Transfer Company of Sarasota, Florida, be and the same is hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of February, 1939.

ORDER NO. 1128,

DOCKET NO. 580.

IN RE: APPLICATION OF WILLIAM CHARLES DRINKARD, DOING BUSINESS AS HEAD BUS LINE OF MONTGOMERY, ALABAMA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A COMMON CARRIER TRANSPORTING PASSENGERS AND LIGHT EXPRESS FROM ALABAMA STATE LINE TO NICEVILLE, FLORIDA, VIA HIGHWAYS NOS. 54 AND 15, AND FROM ALABAMA STATE LINE TO DEFUNIACK SPRINGS, FLORIDA, VIA HIGHWAY NO. 40.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 596 dated October 20, 1938, this matter came on for formal hearing before the Railroad Commission of the State of Florida at the Supreme Court Building, Tallahassee, Florida, on November 8, 1938.

Eugene Ballard, Jr., of Ballard & Ballard, Birmingham, Alabama, appeared for the applicant.

2. Chairman Jerry W. Carter was authorized in writing to hear this cause and report his findings to the Commission.

3. At the hearing the applicant amended its application to show that the highways over which it proposed to travel from the Alabama-Florida state line to Niceville are Highways Nos. 54 and 33 rather than 54 and 15, and also amended its application to show that the name of the bus line was "Drinkard Bus Line" rather than Head Bus Line. The applicant now operates under Certificate of Public Convenience and Necessity from the Alabama Public Service Commission between Eufaula, Alabama, and Montgomery, Alabama, and also between Montgomery and Florala, Alabama. It now desires to extend its operation into Niceville, Florida, and DeFuniack Springs, Florida. The testimony indicated that this bus line had had a number of calls to go into Niceville, Florida, and into DeFuniack Springs, Florida. The applicant pro-

poses to connect with the Bay Line running from Panama City to Pensacola, Florida, also with the Teche Line running from Marianna to New Orleans, Louisiana. It appears from the testimony that the applicant, although desiring to operate from Florala, Alabama, into Florida has made no application to the Interstate Commerce Commission for authority to operate interstate but proposes at later date, if this application is granted, to make said application to the Interstate Commerce Commission. No witnesses were produced from the territory involved to testify as to the need of the service and no one testified except the owner of the line and Mr. Head who formerly operated this line into Alabama.

4. Since the hearing of this application Certificate of Public Convenience and Necessity has been awarded to James H. Wise, doing business as Wise Motor Line of Crestview, Florida, to transport passengers and light express between Florala, Alabama, and Camp Walton, Florida, via Crestview using the same State Highways Nos. 54 and 33, and also State Highway No. 10.

5. Chairman Carter having made his report to the Commission and the Commission having considered said report and the testimony introduced in this case is of opinion that public convenience and necessity does not require the granting of this application.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of William Charles Drinkard, doing business as Head Bus Line and/or Drinkard Bus Line be and the same is hereby DENIED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 10th day of January, 1939.

ORDER NO. 1129,

DOCKET NO. 100-140.

IN RE: TIME TABLE NO. 21, SCHEDULE NOS. 1101-02-03-04-05-06-07-08-09-10 OF TECHE GREYHOUND LINES, 400 NORTH RAMPART STREET, NEW ORLEANS, LOUISIANA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

The Teche Lines have filed with this Commission its proposed schedules between Marianna, Florida, and the Alabama-Florida State line via Pensacola, and it appearing that the changes in these schedules will serve the public interest and all other connecting carriers have concurred in these changes and waived hearing:

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Time Table No. 21, Schedules Nos. 111-02-03-04-05-06-07-08-09 and 10 of Teche Greyhound Lines, a copy of which is hereby attached to and made a part of this order be and the same is hereby APPROVED to become effective February 20, 1939.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 8th day of February, 1939.

ORDER NO. 1130,

DOCKET NO. 100-143.

IN RE: TIME TABLE NO. 12, SCHEDULES NOS. 1, 2, 3, 4, 5 OF THE UNION BUS COMPANY, 129 EAST 21ST STREET, JACKSONVILLE, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Union Bus Company having filed with this Commission its Time Table No. 12, (canceling Time Table No. 11) Schedules Nos. 1, 2, 3, 4, and 5, and it appearing that the proposed changes in schedules have been concurred in by all connecting carriers who have thus waived hearing on the same, and that such changes are in the interest of public convenience and necessity:

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Time Table No. 12, Schedules 1, 2, 3, 4, and 5 of the Union Bus Company, copy of which is attached to and hereby made a part of this order, be and the same is hereby APPROVED to become effective February 20, 1939.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 8th day of February, 1939.

ORDER NO. 1131,**DOCKET NO. 100-13.**

IN RE: TIME TABLE NO. 11, SCHEDULES 1, 2, 3, 4, 5, 6, 7 AND 8 OF
TAMIAMI TRAILS TOURS, INC., 1010 E. LAFAYETTE STREET,
TAMPA, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Tamiami Trail Tours, Inc., having filed copies of its proposed schedule changes as shown in Time Table No. 11, the purpose of which is to so change its schedule as to meet the schedule of Union Bus Company at Tallahassee, Florida, and it appearing that all connecting carriers have concurred in these schedule changes and have thus waived hearing on same:

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Time Table No. 11, Schedules Nos. 1, 2, 3, 4, 5, 6, 7, 8 of Tamiami Trail Tours, Inc., a copy of which is hereto attached and made a part of this order be and the same is hereby **APPROVED** to be and become effective on February 20, 1939.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 8th day of February, 1939.

ORDER NO. 1132,**DOCKET NO. 326.**

IN RE: SCHEDULE NO. 9 OF GEORGIA STAGES, INC., OF ALBANY,
GEORGIA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Georgia Stages, Inc., having filed with this Commission Schedule No. 9, which cancels Schedule No. 8, changing its arrival time in the City of Tallahassee, and it appearing that the changes in this schedule are made in order to connect with Tamiami Trail Tours, Inc., southbound and Union Bus Company eastbound, and it appearing that all connecting carriers have concurred in this schedule and waived hearing on the same:

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Schedule No. 9, superseding Schedule No. 8, of Georgia Stages, Inc., a copy of which is hereto attached and made a part of this order, be and the same is hereby **APPROVED** to become effective February 20, 1939.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 8th day of February, 1939.

ORDER NO. 1133,

DOCKET NO. 603.

IN RE: APPLICATION OF J. J. BLALOCK OF OCALA, FLORIDA, FOR CONTRACT CARRIER CERTIFICATE TO TRANSPORT GASOLINE AND KEROSENE FOR THE TEXAS COMPANY FROM TAMPA, FLORIDA, BULK SALES STATION, TO THE OCALA, FLORIDA, BULK SALES STATION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 604 dated December 29, 1938, this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on January 17, 1939. The following appeared:

W. E. Smith of Ocala, Florida, for applicant.

George A. K. Sutton and F. B. Langley for Atlantic Coast Line Railroad Company.

W. J. Oven for Receivers of Seaboard Air Line Railway.

2. The applicant seeks a Certificate of Public Convenience and Necessity as a Private Contract Carrier to transport gasoline and kerosene in bulk tanks between Tampa and Ocala, Florida, for the Texas Company. Applicant is the agent for the oil company in Ocala and receives a commission on the sale of the products he distributes to retail dealers. Prior to the filing of this application applicant did not consider his operation within the terms of the Motor Transportation Act, Chapter 14764, Acts of 1931. He hauled only products consigned to him as agent and his commission was based both upon the sales of his agency and the distance and amount of the haul. He now transports at a fixed rate of \$.00858 per gallon.

3. The Commission is of opinion that commission agents such as the applicant here, who transport over the public highways the products which they distribute and receive all or part of their commission for such transportation, are subject to the jurisdiction of the Railroad Commission.

4. The Commission has considered the effect that the granting of this application may have upon transportation facilities as a whole and in the territory involved and is of opinion that under the rates proposed the same is required by public convenience and necessity.

WHEREFORE it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of J. J. Blalock of Ocala, Florida, for a Certificate of Public Convenience and necessity as a Contract Carrier to transport gasoline and kerosene in bulk tanks for the Texas Company between Tampa and Ocala, Florida, over State Highway No. 2, 74 and 5, at the rate set fourth in the contract, be and the same is hereby GRANTED.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 18th day of January, 1939.

ORDER NO. 1134,

DOCKET NO. 604.

IN RE: APPLICATION OF JOHN GOTHER LANE OF JACKSONVILLE, FLORIDA, FOR A CONTRACT CARRIER CERTIFICATE TO TRANSPORT BY MOTOR VEHICLE BAKERY PRODUCTS AND GOODS, WARES AND MERCHANDISE OF THE WARD BAKING COMPANY BETWEEN JACKSONVILLE, FLORIDA, AND DAYTONA, DELAND, SANFORD, ORLANDO, LAKELAND, AUBURNDALE AND KISSIMMEE, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 604 dated December 29, 1938, this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on January 16th, 1939. The following appeared:

Joe C. Jenkins of Gainesville, Florida, appeared for applicant.

George A. K. Sutton and F. B. Langley for Atlantic Coast Line Railroad Company; McCarthy Crenshaw for L. & L. Freight Lines, Inc.; W. J. Oven for Receivers of Seaboard Air Line Railway Company; T. B. Smith for Central Truck Lines and J. R. Hunter for Railway Express Agency, Inc., for Protestants.

2. The applicant has been employed for several years by the Ward Baking Company as a truck driver to deliver its products from its bakery in Jacksonville to distributing agents in St. Augustine, Palatka, and Ocala. The baking company also distributes its goods in Daytona, Deland, Sanford, Orlando, Kissimmee, Auburndale and Lakeland, using the facilities of the Railway Express Agency and certain of the common products to the towns named under private contract with the bakery company at the same rates charged by the Express Company. carrier truck lines. The applicant seeks authority to deliver bakery

3. It appears that the transportation of such a perishable product as fresh bread (to secure better delivery of which is the main purpose of this application) requires in this case the individual services of a private contract carrier. The product needs handling in the special equipment and using the crate containers which applicant will use and which cannot be used by the regular carriers. The service to most of the points will be faster than that now afforded. The Commission has considered the effect that the granting of this application may have upon transportation facilities as a whole in the territory involved and is of opinion that the same is required by the public convenience and necessity.

WHEREFORE it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of John Gother Lane of Jacksonville, Florida, for a Certificate of Public Convenience and Necessity as a Private Contract Carrier to transport bakery products only for the Ward Baking Company between Jacksonville, and the following cities only—Daytona, DeLand, Sanford, Orlando, Lakeland, Auburndale and Kissimmee, using State Highways Nos. 4, 21, 3, 2 and 17, be and the same is hereby GRANTED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 18th day of January, 1939.

ORDER NO. 1135,

DOCKET NO. 601.

IN RE: APPLICATION OF SUWANNEE STAGES, INC., OF PERRY, FLORIDA, FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A COMMON CARRIER BY MOTOR VEHICLE TRANSPORTING PASSENGERS AND LIGHT EXPRESS BETWEEN PERRY, FLORIDA, AND JACKSONVILLE, FLORIDA, VIA MAYO, BRANFORD, FORT WHITE, LAKE BUTLER, RAIFORD, STATE PRISON FARM, LAWTEY AND MAXVILLE AND ALSO BETWEEN BRANFORD AND LIVE OAK, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 604 dated December 29, 1938, this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on January 16, 1939. The following appeared:

Zack H. Douglass and B. K. Roberts appeared for applicant.

J. K. Blackwell for L. O. P. & G. Railroad; A. Y. Milam for Florida Motor Lines; W. J. Oven for Seaboard Air Line Rail-

way; F. B. Langley for Atlantic Coast Line Railroad; J. R. Hunter for Railway Express Agency and Waller & Meginniss for Union Bus Company.

2. Under the proposed application a motor carrier service would be inaugurated transporting passengers and light express between Perry and Jacksonville, Florida, operating over State Highway No. 5-A from Perry through Branford to Fort White, thence from Fort White over a County Road to an intersection with State Road No. 2 at Mikesville, thence over State Road No. 2 from Mikesville to Ellisville, thence over State Road No. 56 to Lake Butler, thence over State Road No. 49 to Raiford, thence to intersection of roads 49 and 48, thence over Road No. 48 to State Farm, thence over Road No. 114 to Lawtey, thence over State Road No. 13 to Maxville, thence over State Road No. 204 to Jacksonville; and also from Branford over State Road No. 50 to Live Oak. The testimony shows that the roads between Maxville and Jacksonville and between Lawtey and State Prison Farm and between Ellisville and Mikesville and from Mikesville to Fort White are graded roads that have not been completed. The applicant proposes to operate two busses over this route and to furnish a daily round trip between the points served. It proposes to leave Perry at 8 o'clock in the morning arriving in Jacksonville at about 12 o'clock noon and returning leave Jacksonville at 4:30 P. M. and arriving in Perry at 8:25 P. M. This would afford a passenger about four and one half hours shopping time in Jacksonville. The testimony further shows that there is at the present time no bus service at Mayo, Branford, Lake Butler, Prison Farm or Raiford nor is there any bus service between Perry over the route proposed into Jacksonville.

3. The applicant presented a number of witnesses from each section proposed to be served by this operation all of whom testified as to the convenience to the public of such service and stressed the fact that there is at this time no direct bus service nor any convenient common carrier service between Perry and Jacksonville over this route serving these particular communities. From the evidence presented the Commission is of opinion that these communities should have an adequate motor transportation service operated by some auto transportation company qualified to perform an adequate service.

4. The records of the Commission show that by Order No. 815 dated December 21, 1935 Henry J. Redd of Tallahassee, Florida was granted a Certificate of Public Convenience and Necessity to operate over the greater part of this line. That the said Redd operated for a period of two months and then appeared before the Commission and asked to be allowed to abandon this operation by reason of his failure to operate profitably.

5. The records of this Commission further show, and it was brought out in the testimony in this proceeding, that W. L. Craven who is now the President of the Suwannee Stages, Inc., the applicant here, formerly operated the Seminole Coach Company and at one time had a Certificate to operate from St. Augustine to Gainesville via Palatka. That after operating for sometime he found it impossible to continue and abandoned the operation leaving a number of unpaid obligations.

6. The testimony further shows that Florida Motor Lines has six daily schedules from Jacksonville Southbound serving both Lawtey and Starke, and six Northbound schedules serving the same points. It also operates over State Road No. 19 serving Perry, Florida, and thus serves the territory involved in this application.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that W. L. Craven, President of Suwannee Stages, Inc., by reason of his past failures in the bus business is an untrustworthy operator and the application of Suwannee Stages, Inc., for Certificate to operate over the highways described therein be and the same is hereby **DENIED**.

It is further **ORDERED** that since Public Convenience and Necessity requires passenger service over the routes described herein serving the communities along such routes and Florida Motor Lines furnishes service in such territory, although not directly over the routes described herein, and under the law is entitled to furnish the service proposed, said Florida Motor Lines, Inc., be and it is hereby **DIRECTED AND REQUIRED** to operate convenient schedules serving Perry, Mayo, Branford, Fort White, Lake Butler, Raiford and State Prison Farm and to make suitable connections at Starke with their bus line operating over State Road No. 13 to Baldwin, and thence over State Road No. 1 to Jacksonville.

It is further **ORDERED** that Florida Motor Lines be and it is hereby **DIRECTED** to immediately put such service into effect and to furnish this Commission with schedules showing said service.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 18th day of January, 1939.

ORDER NO. 1136.

DOCKET NO. 100-13.

**IN RE: APPLICATION OF TAMAMI TRAIL TOURS, INC., TO SERVE
THE COMMUNITIES KNOWN AS PINE CREST AND TRAIL CITY
LOCATED ON THE BRANCH OF STATE HIGHWAY NO. 27 AS
OFF-LINE POINTS.**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

This matter coming on for consideration before the Railroad Commission upon the petition of Tamiami Trail Tours, Inc., to serve Pine Crest and Trail City located on a branch of State Highway No. 27, and it appearing that this company operates as a common carrier of freight by motor vehicle under Certificate of Public Convenience and Necessity No. 28 issued by the Railroad Commission of the State of Florida and has served Fort Myers and Miami over State Highway No. 27 for a number of years; and it further appearing that Pine Crest and Trail City are communities located upon what is known as old Highway No. 27, and that public convenience and necessity requires service into these communities and that Tamiami Trail Tours, Inc., is the only common carrier of freight serving the territory involved:

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Certificate of Public Convenience and Necessity No. 28 be and the same is amended so as to include the highway known as old Highway No. 27 which branches off from the new highway No. 27 and runs through Pine Crest and Trail City, Florida, and comes back into the Tamiami Trail on the new Highway No. 27 at Monroe Station, a distance of approximately 24 miles, and Tamiami Trail Tours, Inc., is authorized to operate over said highway when and as it is necessary in order to serve the communities known as Pine Crest and Trail City.

It is further **ORDERED** that said Tamiami Trail Tours, Inc., is hereby authorized to use actual mileage in serving Pine Crest and Trail City instead of what is known as Group Basis in fixing rates to said points.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 10th day of March, 1939.

ORDER NO. 1137,

DOCKET NO. 602.

IN RE: APPLICATION OF WOOD HOPKINS CONTRACTING COMPANY, INC., OF JACKSONVILLE, FLORIDA, FOR A COMMON CARRIER CERTIFICATE LIMITED TO THE TRANSPORTATION OF TANKS, VAULTS, BOATS, BUILDING MATERIAL AND STRUCTURAL STEEL, OVER NO SPECIFIED ROUTES TO ANY POINT IN THE STATE OF FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 604 this matter came on for formal hearing before the Railroad Commission of the State of Florida at Tallahassee, Florida, on January 16, 1939. The following appeared:

For applicant: J. H. Hopkins and M. M. Wood.

For protestants: Leo P. Kitchen and Dan R. Schwartz for Kennelly Transfer & Storage Company. Judge W. J. Oven for Receivers of Seaboard Air Line Railway and Atlantic Coast Line Railroad. T. B. Smith for Central Truck Lines, Inc., and McCarthy Crenshaw for L. & L. Freight Lines, Inc.

2. The applicant is engaged in performing in and around Jacksonville what is known as "heavy hauling" and the erecting of steel. It seeks authority as a limited common carrier to haul anywhere in the State of Florida upon demand "tanks, vaults, boats, building material and structural steel." Applicant is specially equipped to handle large and bulky shipments and desires a Certificate of Public Convenience and Necessity in order to compete with others who hold such authority from this Commission. No witnesses were produced other than the officers of the applicant.

3. The protestants objected strenuously to the indefinite character of the authority sought particularly as to the products to be hauled. It was shown that the protestant Kennelly Transfer & Storage Company holds a limited common carrier certificate to perform hauling similar to that described in the application and that Cruikshank Transfer Company and J. F. Gatlin, both of Jacksonville, hold permits from this Commission authorizing occasional hauling of this kind.

4. The applicant filed no tariff or schedule of rates with its application but witnesses who were officers of the corporation stated that "there would be a price made for each job."

5. The Commission has examined this record carefully and finds that there has been insufficient showing of public convenience and necessity to grant this application. It does not appear that there is any

need for additional transportation services in his field but that the granting of this application would injure existing agencies without any compensating benefit to the public.

WHEREFORE it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of Wood Hopkins Contracting Company, Inc., for a limited common carrier Certificate of Public Convenience and Necessity be and the same is hereby DENIED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 15th day of March, 1939.

ORDER NO. 1138,

DOCKET NO. 110-6.

IN RE: COMPLAINT AGAINST L. & L. FREIGHT LINES, INC., FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. L. & L. Freight Lines, Inc., was cited by Order No. 1107, dated January 11, 1939, for violating the law and the rules and regulations of this Commission in two particulars: First, the operation on December 23, 1938 and January 4, 1939, and other dates, a morning schedule out of Jacksonville to Orlando without such a schedule having been approved by this Commission; and second, the failure to file with this Commission copies of the schedules it operates through Tallahassee, Florida, from the Georgia-Florida State line to Tampa and from Marianna to Live Oak, Florida. This citation was heard in Tallahassee on January 18, 1939.

2. The respondent appeared through its attorney, McCarty Crenshaw, and as to the first count in the Citation admitted the violation and that the schedule referred to was operated daily from about December 18, 1938 until about January 12, 1939. It was admitted that this schedule had never been approved by this Commission. In extenuation of the violation, the respondent stated that it had to operate such a schedule in order to meet competition; that it transported only interstate freight on this schedule and had been advised by counsel that this Commission had no authority over interstate schedules; and that on December 27, 1938 this schedule was filed with the Florida Railroad Commission and its approval requested; and that since January 12, 1939 the schedule has not been operated.

3. As to the second count in the Citation the respondent admitted that prior to January 14, 1939 there was not on file with this Commission any schedules showing the operation described above which was conducted through Tallahassee, Florida, on what is known as respondent's "Western Division" but that a regular scheduled service had been operated in this territory since June, 1936 and that an irregular service had been conducted from October, 1935 until June, 1936. In extenuation of its failure to furnish the Commission with these schedules, which are required by the law and the rules of this Commission to be on file before any operation has begun, the respondent stated that it has been under new management since January, 1938 and that the present management was not aware of the short comings of its predecessors; that only since August, 1938 has any request been made to the present management for the filing of these schedules; and that this request was complied with as soon as it was conveniently possible to do so.

4. The Commission has carefully considered this matter and the extenuating circumstances urged by the respondent but the respondent has admitted doing the acts which constitute the offenses charged.

WHEREFORE the Railroad Commission of the State of Florida hereby finds the L. & L. Freight Lines, Inc., GUILTY on each charge in said Citation and hereby fixed the penalties for such violations as follows:

1. REVOCATION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 14.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF A FINE OF \$200.00 FOR THE VIOLATION IN EACH OF SAID TWO COUNTS, MAKING A TOTAL FINE OF \$400.00.

It is further ORDERED that the above penalties become effective on March 25th, 1939 at 12:01 o'clock A. M.

It is further ORDERED that the payment by the said L. & L. Freight Lines, Inc., of the said fine of \$400.00 on or before 12:01 o'clock A. M. March 25, 1939, shall be accepted as full satisfaction of all penalties herein fixed, otherwise all penalties herein fixed shall be and become immediately effective at said time.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 13th day of March, 1939.

ORDER NO. 1139,

DOCKET NO. 400.

**IN RE: COMPLAINT AGAINST RYDER TRUCKING COMPANY OF
MIAMI, FLORIDA, AS TO VIOLATIONS OF THE LAW AND THE
RULES AND REGULATIONS OF THE RAILROAD COMMISSION
OF FLORIDA.**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Ryder Trucking Company of Miami, Florida, was cited by Order No. 1108 dated January 11, 1939 for violating the law and the rules and regulations of this Commission in four counts as follows:

- (a) Transportation on November 4-1938 of voting machines for compensation in Dade County, Florida, without having authority from the Railroad Commission.
- (b) Transportation on December 11th, 1938 over State Highway No. 4-A of coral rock without any authority from this Commission.
- (c) Transportation of cement blocks for compensation on December 18, 1938 between Miami and West Palm Beach without any authority from this Commission.
- (d) Failure to report mileage traveled or to pay the mileage taxes due the State of Florida for trips made on twelve different occasions between July 6th, 1938 and September 30th, 1938.

2. Hearing was held on this citation in Miami, Florida, on January 27, 1939, and Ryder Trucking Company appeared by its counsel, Wm. J. Pruitt and filed an answer to the citation and testimony was taken concerning the charges made.

3. As to the first count the respondent admitted the violation but pleaded that certain of its officers and employees were under criminal prosecution for the same acts and that the Commission should hold in abeyance its judgment until after the criminal trials. This Commission, however, cannot consider binding upon it any action that might be taken in the Criminal Courts against carriers under its jurisdiction. This Commission is given the specific duty of enforcing the motor transportation laws, is given the machinery to do so as to carriers under its jurisdiction and cannot be guided by proceedings in the Criminal Courts. The respondent has authority only as a private contract carrier to haul cement and certain allied products outside the city of Miami and its environs, and has no authority whatever to transport voting machines. Respondent is found guilty on this count.

4. As to the second count respondent says that it has been advised by counsel that the transportation of coral rock is exempt from the Motor Transportation Act. This Commission, however, has taken jurisdiction over this type of transportation and did so several months ago in proceedings to which the respondent was a party. The respondent has had ample time to test its jurisdiction in Court and is not in a position of one who has violated the law in ignorance of the interpretation thereof by this Commission. Respondent is found guilty on the second count.

5. As to the third count the respondent has no authority to haul finished cement blocks but brought out in the testimony that it was the owner of the blocks on this occasion and that it often engages in the business of buying these blocks in Miami and hauling them in to other towns to builders and builders' supply companies making a profit both as a broker or dealer and on the transportation of the blocks. The Commission cannot determine from the testimony whether in conducting this operation the respondent is essentially a carrier engaged in hauling these blocks for compensation, which is nothing more than a transportation charge, or whether respondent is primarily a dealer in cement blocks whose hauling is incidental to such business, and therefore not subject to the motor transportation laws. This Commission always looks with suspicion on such hauling by those primarily engaged in the trucking business because the practice of transferring the ownership of goods solely for the purpose of transportation is a subterfuge often attempted to evade the law. Respondent is found not guilty on this count.

6. As to the fourth count the respondent admitted its failure to make these mileage reports as required by law but stated that its failure was not wilful but because of inaccurate and careless book-keeping, and that the tax has now been paid and the reports have now been made. The respondent is found guilty on this count.

WHEREFORE the Railroad Commission of the State of Florida having found the respondent guilty as related above hereby fixes the penalties for such violations as follows:

1. REVOCATION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSARY NO. 204.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF A FINE OF \$100.00.

It is further ORDERED that the above penalties become effective on March 28th, 1939 at 12:01 o'clock A. M.

It is further ORDERED that the payment by the said Ryder Trucking Company of said fine of \$100.00 on or before 12:01 o'clock A. M. March 28, 1939 shall be accepted as full satisfaction of all penalties

herein fixed, otherwise all penalties herein fixed shall be and become immediately effective at said time.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 16th day of March, 1939.

ORDER NO. 1140,

DOCKET NO. 570.

IN RE: CANCELLATION OF THE CONTRACT CARRIER CERTIFICATE OF JOHN C. MILLER OF MIAMI, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

The Railroad Commission on September 30, 1938 issued its Order No. 1092 granting to John C. Miller of Miami, Florida, a Certificate of Public Convenience and Necessity as a Private Contract Carrier and authorizing him to transport coral rock from the quarries south of Miami into Miami over State Roads Nos. 4-A and 4 under contract with Key Largo Quarries.

Thereafter John C. Miller applied for a limited Common Carrier Certificate and this Commission by Order No. 1118 dated December 9, 1938 granted him authority to haul coral rock over the above highways as a limited common carrier. This latter authority supersedes and includes the former so that there is no need for the continuance of the authority of John C. Miller as a Private Contract Carrier.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the authority of John C. Miller of Miami, Florida, to operate as a Private Contract Carrier be and the same is hereby **REVOKED AND CANCELLED** as of December 9, 1938.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 16th day of March, 1939.

ORDER NO. 1141,

DOCKET NO. 471 AND 635.

IN RE: JOINT APPLICATION OF JOHN B. GLEN, RECEIVER, ALABAMA & WESTERN FLORIDA RAILROAD COMPANY AND WEST FLORIDA TRANSPORTATION COMPANY FOR APPROVAL OF TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 211 FROM JOHN B. GLEN, RECEIVER, TO WEST FLORIDA TRANSPORTATION COMPANY.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing before the Railroad Commission of the State of Florida at Tallahassee, Florida, on March 8, 1939, pursuant to Notice No. 609, dated February 15, 1939, amending Notice No. 608, dated February 6, 1939.

The following appeared at the hearing:

Mr. Robert Mathis of the firm of Mathis & Mathis for the applicants, and Alabama & Western Florida Railroad Company.

Mr. Howard S. Bailey for Receivers of the Alabama & Western Florida Railroad Company by Mr. John B. Glen.

Messrs. John H. Carter and H. H. Simms for St. Andrews Bay Transportation Company.

2. This Commission by Order No. 1050 dated December 16, 1937, granted a Certificate of Public Convenience and Necessity to the Receiver of the Alabama & Western Florida Railroad Company authorizing him to transport passengers, mail, express and freight over State Highway No. 52 between Panama City, Florida, and the Alabama-Florida State Line. This application seeks authority to transfer this Certificate from the Receivers of the Railroad to the West Florida Transportation Company.

3. Granting of this application was opposed by the Saint Andrews Bay Transportation Company who operate a service in a territory paralleling the route described above. This is between Panama City and Dothan, Alabama via State Highway Nos. 20 and 6. The Railroad Commission has carefully considered this application and the testimony produced in support thereof and is of opinion that the same will be in the public interest and will improve transportation facilities in the territory involved. It appears that the West Florida Transportation Company is able and capable of rendering the service which this Commission has previously found to be needed in this territory.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that this joint application be and the same is hereby approved and that the transfer of Certificate of Public Convenience and Necessity No. 211 from the Receiver for the Alabama and Western Florida Railroad Company to the West Florida Transportation Company shall become effective upon compliance by the West Florida Transportation Company with the rules and regulations of this Commission governing common carriers transportation, and upon the payment to the Comptroller of the State of Florida by the receiver for the Alabama and Western Florida Railroad Company of all mileage taxes due to the State of Florida.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 1st day of April, 1939.

ORDER NO. 1142.

DOCKET NO. 634.

IN RE: APPLICATION OF I. M. LIEBERMAN DOING BUSINESS AS MOED'S TRANSFER COMPANY OF JACKSONVILLE, FLORIDA, FOR A LIMITED COMMON CARRIER CERTIFICATE AUTHORIZING THIS COMPANY TO TRANSPORT FREIGHT ON IRREGULAR ROUTES WITHIN AN AREA OF TWENTY MILES OF THE CITY LIMITS OF JACKSONVILLE, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 608 dated February 6, 1939, this application was set down for hearing before the Railroad Commission at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on February 23, 1939. Hearing on this date was postponed for good cause and under Notice No. 609 was set for hearing on Wednesday, March 1st, 1939 at the Hearing Room of the Commission, Supreme Court Building, Tallahassee, Florida.

Leo P. Kitchen and Dan R. Schwartz appeared for applicant.

W. J. Oven appeared for Receivers of Seaboard Air Line Railway Company.

McCarthy Crenshaw appeared for L. & L. Freight Lines, Inc., of Jacksonville, Florida.

2. The record shows that the applicant has been engaged in the transfer business within the city of Jacksonville, Florida, for the past eleven years. That he now owns and operates fifteen trucks and is financially able to provide any service called for in the application and

that he has made a good record as a transfer man in Jacksonville, Florida. After some discussion and testimony his application was clarified to cover certain named points within the vicinity of Jacksonville to show that he would like to operate on irregular schedules transporting freight from the boat lines or from other parties to such points. For instance, the applicant performs frigidaire service for a number of concerns in Jacksonville who desire him to make deliveries of frigidaire to various points adjacent to the city and he desires to make these deliveries to the points named in the application where such points are not being served by either a motor carrier or by a rail carrier. The specific points agreed upon in the record are Hogan, East Point, Camp Johnston, St. Nicholas and Mandarin and the service applied for was limited to these points on irregular schedules and it was specifically provided that the applicant seeks no authority to serve any point which is now served by a common carrier by rail.

3. The Commission has carefully considered this application and is of opinion that public convenience and necessity require the granting of this application as amended at the hearing.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of I. M. LIEBERMAN doing business as Moed's Transfer Company of Jacksonville, Florida, for a limited common carrier Certificate of Public Convenience and Necessity to transport freight between Jacksonville, Florida, and Hogan, East Point, Camp Johnston, St. Nicholas and Mandarin on irregular schedules be and the same is hereby **APPROVED** and that a Certificate be granted when the law and the rules of the Commission have been fully complied with.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 2d day of March, 1939.

ORDER NO. 1143,

DOCKET NO. 605.

IN RE: APPLICATION OF J. H. BUIE OF GAINESVILLE, FLORIDA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A CONTRACT CARRIER BY MOTOR VEHICLE TRANSPORTING GOODS, WARES AND MERCHANDISE FOR PERRY GROCERY COMPANY OF PERRY, FLORIDA, CENTRAL GROCERY COMPANY OF GAINESVILLE, INC., OF GAINESVILLE, FLORIDA, AND STRINGFELLOW SUPPLY COMPANY, INC., OF GAINESVILLE, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 604 dated December 29, 1938 this matter came on for hearing before the Railroad Commission at its Hearing Room, Tallahassee, Florida, on January 16, 1939. Then and there appeared the following:

For applicant: Hon. Joe C. Jenkins of Gainesville, Florida.

For protestants: Messrs. George A. K. Sutton and F. B. Langley for Atlantic Coast Line Railroad Company; Mr. McCarthy Crenshaw for L. & L. Freight Lines, Inc.; Judge W. J. Oven for Seaboard Air Line Railway; Mr. T. B. Smith for Central Truck Lines, Inc.; Mr. J. R. Hunter for Railway Express Agency, Inc.

2. The applicant seeks authority to haul under contracts with Perry Grocery Company, Perry, Florida, Central Grocery Company of Gainesville, Florida and Stringfellow Supply Company of Gainesville, Florida. It is proposed to transport the products handled by these firms from Jacksonville, Florida, to Gainesville, Cross City and Perry, Florida, using a tractor and semi-trailer combination for this purpose. It appears from the record and the testimony that these companies are now transporting these commodities by their own private trucks. These companies have now contracted with the applicant (a copy of the contracts being filed in the record) to transport these commodities for them at minimum rates of 8c and 10c per hundred pounds. It further appears that the Perry Grocery Company, and the Central Grocery Company are under the same management and exchange merchandise with each other. It further appears that if these contracts are approved the applicant will use only one truck in transporting these commodities and the private trucks of the companies will be taken off of the highways.

3. The Commission has carefully considered the record in these cases and is of opinion that since the Perry Grocery Company and Central Grocery Company of Gainesville are under the same management and control, and practically amount to only one contract, that public convenience and necessity requires the granting of the application as to such contracts. That that part of the application which seeks authority to transport for the Stringfellow Supply Company, Inc., of Gainesville, Florida, should be denied.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that a Certificate of Public Convenience and Necessity as a Private Contract Carrier be and the same is hereby awarded to J. H. Buie of Gainesville, Florida, authorizing him to transport the goods, wares and merchandise of the Perry Grocery Company, Inc., of Perry, Florida, and of the Central Grocery

Company of Gainesville, Inc., Gainesville, Florida, between Jacksonville and Gainesville, Cross City and Perry over Highway No. 1 to Baldwin, thence over Highway No. 13 through Starke to Gainesville and thence from Gainesville over Highway No. 14 to Cross City and thence over Highway No. 19 to Perry.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 5th day of April, 1939.

ORDER NO. 1144,

DOCKET NO. 100-7.

IN RE: APPLICATION OF SARASOTA TRANSFER & STORAGE COMPANY, A CORPORATION, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A CONTRACT CARRIER TRANSPORTING GENERAL MERCHANDISE FOR SEARS, ROEBUCK & COMPANY OF SARASOTA, FLORIDA, BETWEEN SARASOTA AND VARIOUS POINTS IN SARASOTA, MANATEE, CHARLOTTE AND DESOTO COUNTIES, AND ALSO TO TRANSPORT BAGGAGE FOR THE TAMPA SOUTHERN RAILROAD COMPANY FROM ITS PASSENGER STATION AT SARASOTA, FLORIDA, TO ALL POINTS WITHIN A RADIUS OF TWENTY-FIVE MILES FROM SARASOTA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 607 dated January 31, 1939, this matter came on for formal hearing before the Railroad Commission at the Floridan Hotel, Tampa, Florida, on February 17, 1939 at 2:30 P. M. Then and there appeared the following:

Frank Binz, Jr., appeared for the applicant.

A. Pickens Coles appeared for Tamiami Trail Tours, Inc.; John Bliss for St. Johns River Line Company; E. B. Rush for Atlantic Coast Line Railroad Company and Tampa Southern Railroad and W. J. Oven for Seaboard Air Line Railway Company.

2. From the application and testimony introduced in this proceeding it appears that Sarasota Transfer & Storage Company, a corporation, which now holds Certificate No. 161 authorizing it to transport uncrated household goods, desires a Certificate of Public Convenience and Necessity as a Contract Carrier to transport uncrated new household goods, plumbing and hardware fixtures, sporting goods and other articles of merchandise from the store of Sears, Roebuck & Company

in Sarasota to their retail customers in the counties of Sarasota, Manatee, Charlotte and DeSoto and within a radius of forty miles of Sarasota. It is not desired to transport the merchandise of Sears, Roebuck & Company from any transportation company to their store in Sarasota, or in fact between any of their stores, but from the store in Sarasota to the customers. The Certificate is also to be limited to the counties named and within a radius of forty miles of Sarasota.

3. The second section of the application covers the transportation of baggage. The applicant was allowed to amend this part of the application by striking out the contract with the Tampa Southern Railroad and asking for authority to transport baggage from any of the common carriers to destination especially on the outlying keys which are off the highways and within a radius of seventeen miles from Sarasota, with the City of Bradenton and the City of Venice excluded. In other words, it is the purpose of the applicant to serve principally three keys known as Treasure Island which is right on the Tamiami Trail at what is known as Midnight Pass, Sarasota Key which is reached through Casey's Pass, and runs up to and including the corporate limits of Sarasota, and also the key known as Boat Key. It is the purpose of the applicant to haul only such baggage as is checked by the common carrier bus or common carrier rail lines, and it is not the purpose to transport any light express or any freight.

The Commission has carefully considered the application and the transcript of testimony filed in this cause and is of opinion that the application as amended should be approved.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that:

- (a) A Certificate of Public Convenience and Necessity be and the same is hereby granted to Sarasota Transfer & Storage Company, a corporation, authorizing it to transport under contract with Sears, Roebuck & Company articles of merchandise, principally new uncrated furniture, plumbing and hardware fixtures, sporting goods and anything that might be connected with these lines of merchandise, from the store of Sears, Roebuck & Company in Sarasota, Florida, to the consumers in Sarasota, Manatee, Charlotte and DeSoto Counties within a radius of forty miles of Sarasota, Florida.
- (b) A limited common carrier Certificate be and the same is hereby **GRANTED** to Sarasota Transfer & Storage Company of Sarasota, Florida, authorizing it to transport baggage only from the depots and stations of the various rail and bus lines to destination on the keys, and to other points which are off the highways and not served by rail and bus

lines within a radius of seventeen miles from Sarasota, the City of Bradenton and the City of Venice being especially excluded from such operation.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 2nd day of March, 1939.

CITATION

ORDER NO. 1145,

DOCKET NO. 85.

IN RE: COMPLAINT AGAINST K. & L. TRANSPORTATION COMPANY, INC., 802 AVA STREET, WAYCROSS, GEORGIA, FOR VIOLATION OF THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. WHEREAS it has been reported to this Commission that you K. & L. Transportation Company of Waycross, Georgia, has violated the law and rules and regulations of the Florida Railroad Commission in the particulars hereinafter set forth:

Therefore you, K. & L. Transportation Company, Inc., TAKE NOTICE that the Railroad Commission of the State of Florida charges you with violations of the law and rules and regulations of this Commission in the following particulars, to-wit:

- (a) A wilful violation of Section 8, Chapter 14,764, Laws of Florida, Acts of 1931, and of Rule No. 17, of the Rules and Regulations of this Commission, in that you did on Monday, April 3, 1939, and on divers other dates, operate your International Tractor and semi-trailer, with Florida Licenses No. 2HFH94 and 20-156, transporting general freight from Jacksonville over State Road No. 4, to Waycross, Georgia, three hours off the schedule on file with the Commission, leaving Jacksonville at 3:30 P. M., when the schedule on file with this Commission provides for a leaving time of 6:30 P. M.

And further TAKE NOTICE that on Thursday the 27th day of April, 1939, at 10 o'clock A. M., the Railroad Commission of the State of Florida will be in session at its HEARING ROOM, Supreme Court Building, Tallahassee, Florida, to hear and consider and determine whether or not you, K. & L. Transportation Company, Inc., are guilty of having violated or refused to observe the laws of this State or the Rules and Regulations

of this Commission in the operation of your motor vehicles, and if found guilty thereof, to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charges.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 12th day of April, 1939.

ORDER NO. 1146,

DOCKET NO. 110-6.

IN RE: COMPLAINT AGAINST L. & L. FREIGHT LINES, INC., FOR VIOLATION OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

This Commission by Order No. 1138 dated March 13, 1939, found the L. & L. Freight Lines, Inc., guilty on each of the two counts of the Citation dated January 11, 1939—Order No. 1107, and assessed a fine of \$200.00 on each count, or a total of \$400.00 against the respondent. Pursuant to a petition filed by the respondent herein the Commission reconsidered the penalties and reduced the fines to \$100.00 on each count or a total of \$200.00. It appearing that the said fine of \$200.00 has been paid as required by Order No. 1138.

It is therefore CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the aforesaid complaint against the L. & L. Freight Lines, Inc., be and the same is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of May, 1939.

ORDER NO. 1147,**DOCKET NO. 100-7.**

IN RE: APPLICATION OF W. L. AKINS TRANSPORTATION COMPANY OF JACKSONVILLE, FLORIDA, FOR SCHEDULE CHANGES BETWEEN JACKSONVILLE AND ORLANDO, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. The W. L. Akins Transportation Company requests approval of a new schedule between Jacksonville and Orlando, Florida, via Green Cove Springs, Palatka, and DeLand. It appears that L. & L. Freight Lines, Inc., operate the Certificate rights of the applicant and that no changes are made in the departure and arrival times at Jacksonville and Orlando. The proposed change merely permits W. L. Akins Transportation Company to serve Palatka on this schedule. There is no other common carrier truck line serving this territory.

2. The Commission is of opinion that the schedule change proposed will be in the public interest and improve transportation facilities in the territory involved.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of W. L. Akins Transportation Company for certain schedule changes between Jacksonville and Orlando, Florida, be and the same is hereby GRANTED as of April 6, 1939, and that Time Table No. 2-B superseding Schedule No. 2-A, copy of which is attached to and made a part of this order, be and the same is hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of May, 1939.

ORDER NO. 1148,**DOCKET NO. 100-1.**

IN RE: APPLICATION OF CENTRAL TRUCK LINES, INC., FOR EXTENSION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO TRANSPORT FREIGHT FROM ST. PETERSBURG TO BROOKSVILLE, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 607 dated the 31st day of January, 1939, this application came on for formal hearing before the Railroad Commission of the State of Florida at the Florida Hotel, Tampa, Florida, on February 17, 1939. Then and there appeared the following:

For the applicant: Sidney Allen, J. M. Allison and Rainey Martin.

For the protestants: W. J. Oven for Seaboard Air Line Railway; J. R. Hunter for Railway Express Agency, Inc.; L. E. Johnson for Tarpon Truck Lines; Ivan Green for Green Brothers Transfer; C. A. Walters for Walters Truck Line; Timothy Goodall for Bee Line; J. A. Bliss for L. & L. Freight Lines, Inc., W. L. Akins, Edwards Line, Great Southern Trucking Company and St. Johns River Line Company.

2. The applicant seeks authority to extend its Common Carrier Certificate of Public Convenience and Necessity No. 56 to include an operation between Brooksville, Florida, and St. Petersburg via Aripeka, New Port Richey, Tarpon Springs and Clearwater over State Highway No. 15 with an alternate route between Brooksville and New Port Richey over State Roads 5 and 210. Applicant at present operates between Brooksville and St. Petersburg via Tampa, and operates a morning round trip schedule between St. Petersburg and Clearwater.

3. The main purpose of the application is to speed up the delivery into St. Petersburg of through traffic, most of it originating in Jacksonville or being interstate commerce moving through Jacksonville. The new route would eliminate traffic delays around Tampa.

While the schedule proposed will not expedite this movement, it is proposed to ask for amendments after the Interstate Commerce Commission has approved the route for the handling of interstate freight.

4. Testimony was introduced showing the need for some direct service between St. Petersburg and Tarpon Springs and the points on this route north of Tarpon Springs. There is no such truck service at present.

5. Objection to the granting of this application was voiced by the railroads and by other truck lines serving the towns in Pinellas County north of St. Petersburg and points in Pasco County up to New Port Richey. This territory is served by certain of the protestant truck lines out of Tampa and it is claimed that they will lose traffic into this territory now delivered to them in Tampa. There is no common carrier truck service between New Port Richey and Brooksville over the route proposed.

6. The applicant insisted, however, that it was not its intention to injure in any way, or take revenue from, the lines already serving this territory. The Tarpon Line serves Tarpon Springs and the Walters Truck Line serves New Port Richey, both operating out of Tampa, and the applicant agreed that if its application were approved it would deliver all freight destined for points in the territory now served by these

lines to them at their warehouses for final delivery and would pay those lines the same pro rata revenue as if such freight had been transported by those lines from Tampa to the points of destination. Likewise it was agreed to pay a similar pro rata of the revenue of freight received from the Tarpon or Walters line along the proposed route or originating at points thereon served by such lines.

7. The applicant also agreed that it would not expedite by this new schedule the delivery of freight in Clearwater (R. 58); that the proposed northbound run leaving St. Petersburg at 12:15 P. M. would be restricted so that it would not carry freight destined to Clearwater that had originated in Tampa; and that all freight destined to Clearwater other than that originating in St. Petersburg would be delivered no sooner than it is delivered under present schedules, that is, not before 9 o'clock A. M. (R. 57.)

8. The Commission is of opinion that public convenience and necessity require the granting of this application subject to the restrictions and requirements set forth above. The result will be largely to expedite applicant's through traffic from Jacksonville into St. Petersburg. The restrictions and requirements placed on the handling of traffic to and from the areas on this route served by other common carrier truck lines are designed to maintain the existing status so that such lines will not be injured in their short hauls by the granting of this new route to applicant, and these restrictions and requirements are to be liberally construed to that end.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Central Truck Lines for authority to extend its Certificate of Public Convenience and Necessity to include daily service between Brooksville, Florida, and St. Petersburg, Florida, over State Highways Nos. 15 and 210 be and the same is hereby **GRANTED**, subject to the restrictions and requirements above set forth, and approval is given of a daily round trip schedule leaving Brooksville at 6:00 A. M. arriving St. Petersburg at noon, leaving St. Petersburg at 12:15 P. M. and arriving Brooksville at 5:00 P. M.

It is further **ORDERED** that this order shall become effective upon the filing with this Commission of the required number of copies of said schedule showing the arrival and departure times at principal towns and showing the restrictions and requirements as set forth above.

DONE AND ORDERED by the Railroad Commission in session at its office in the City of Tallahassee, Florida, this 27th day of March, 1939.

ORDER NO. 1149,**DOCKET NO. 216.**

IN RE: APPLICATION OF LEGH R. POWELL, JR. AND HENRY W. ANDERSON, AS RECEIVERS OF SEABOARD AIR LINE RAILWAY COMPANY, TO CHANGE SCHEDULES OF TRUCK SERVICE BETWEEN FERNANDINA AND JACKSONVILLE, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Application of L. R. Powell, Jr., and Henry W. Anderson, Receivers of Seaboard Air Line Railway Company, to change schedules between Fernandina and Jacksonville was filed with this Commission on June 18, 1938. Pursuant to Notice No. 580 dated July 22, 1938, this matter was set down for hearing at the Mayflower Hotel, Jacksonville, Florida, at 10 o'clock A. M. on August 12, 1938. Before the matter could be heard application was made for postponement and under Notice No. 582, dated July 27, 1938 hearing of this application was postponed until further order of the Commission. No further application having been made for a hearing the Commission is of opinion that the matter should be dismissed for lack of prosecution.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of L. R. Powell, Jr., and Henry W. Anderson, as Receivers of Seaboard Air Line Railway Company, to change the schedules of its truck service between Fernandina and Jacksonville, Florida, be and the same is hereby DISMISSED for lack of prosecution.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 5th day of June, 1939.

ORDER NO. 1150,**DOCKET NO. 495.**

IN RE: APPLICATION OF W. M. EGAN OF MIAMI, FLORIDA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A LIMITED COMMON CARRIER CONDUCTING AN ALL-EXPENSE SIGHT SEEING TOUR DAILY FROM MIAMI TO KEY WEST, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 563 dated December 20, 1937, this matter was set for formal hearing before the Railroad Commission of the State

of Florida at the Court House in Miami, Florida, at 10 o'clock A. M. January 7, 1938.

Dan Chappell represented the applicant.

T. B. O'Steen, Traffic Manager of Florida Motor Lines, appeared for protestant.

2. It appeared at this hearing that the applicant himself was not present and could not be present at the hearing. A motion was made that the hearing be postponed until the further order of the Commission. This motion was granted and further hearing on the application was postponed. No further request having been made for a hearing and a long period of time having elapsed, it is the opinion of the Commission that the case should be dismissed for lack of prosecution.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of W. M. Egan for a Certificate of Public Convenience and Necessity as a limited common carrier conducting all-expense Sight Seeing Tours daily from Miami to Key West, Florida, be and the same is hereby DISMISSED for lack of prosecution.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 5th day of June, 1939.

ORDER NO. 1151,

DOCKET NO. 100-121.

IN RE: APPLICATION OF FLORIDA MOTOR LINES CORPORATION
OF JACKSONVILLE, FLORIDA, TO CHANGE ITS SCHEDULE BE-
TWEEN TALLAHASSEE AND ST. PETERSBURG VIA TAMPA,
FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Florida Motor Lines Corporation on June 1st, 1938 filed with this Commission its request for a change of schedule on its Tallahassee, Tampa, St. Petersburg run No. 303 and filed a copy of the changes with this Commission. The Commission decided that this matter should not be acted on without a hearing and a notice by wire was sent out that a formal hearing at the Hearing Room of the Supreme Court Building, Tallahassee, Florida, would be held on this matter on July 26, 1938 at 10 o'clock A. M. The hearing date was subsequently reset for July 27, 1938.

2. On July 22, 1938 A. Y. Milam, representing the Florida Motor Lines Corporation, wrote to the Secretary of this Commission that he had just learned that the Union Bus Company and Teche Lines were considering proposing a complete revision of schedules between Jacksonville and New Orleans and that under such circumstances it seemed unnecessary to prosecute the application of the Florida Motor Lines Corporation until the matter in the change of schedules of Union Bus Company and Teche Lines had been settled and, therefore, asked that hearing on the application of Florida Motor Lines Corporation be indefinitely postponed. This suggestion was adopted and the hearing was postponed until the further order of the Commission.

3. Since that time all these matters of changes in schedules of Florida Motor Lines Corporation and Tamiami Trail Tours, Inc., have been settled and it is no longer necessary to consider this application.

Wherefore it is **CONSIDERED, ORDERED** and **ADJUDGED** by the Railroad Commission of the State of Florida that the application of Florida Motor Lines Corporation for change in its Run No. 303 between Tallahassee, Tampa and St. Petersburg be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 5th day of June, 1939.

CITATION

ORDER NO. 1152,

DOCKET NO. 100-66.

IN RE: CITATION AGAINST BLUE'S TRUCK LINE, JACKSONVILLE, FLORIDA, FOR FAILURE TO PAY MILEAGE TAXES AND FILE REPORTS FOR THE MONTHS OF NOVEMBER AND DECEMBER, 1937, JANUARY, FEBRUARY, MARCH, APRIL, MAY, JUNE AND OCTOBER, 1938 AND JANUARY, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This matter came on for consideration before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on February 28, 1939, for failure to report and to pay the mileage taxes for the months of November and December, 1937, January, February, March, April, May, June and October, 1938 and January 1939.

A. Y. Milam appeared for the respondent, LaVergne Blue.

2. It developed at the hearing that Blue's Truck Line has been regularly paying the mileage tax representing the loaded miles made by it but under order of the Supreme Court made in the Mileage Tax Cases now pending the Comptroller was authorized to accept and hold in a separate fund mileage taxes for what the truck lines contended was the mileage on empty return movements for which they were not liable. Mr. Blue, representing Blue's Truck Line, admitted that he had failed to make reports and to pay the mileage taxes representing the empty movements for the months of November and December, 1937, January, February, March, April, May and June of 1938, making a total now due of \$4850.18. Mr. Blue, as President of Blue's Truck Line and in his individual capacity signed a statement setting up these matters and proposing both individually and in behalf of Blue's Truck Line, Inc., to pay and discharge all current monthly mileage taxes on empty and loaded mileage and to take up one month of delinquent taxes until he has paid the delinquent taxes in full. In addition, he agreed to file immediately all of the reports covering the months delinquent and to check up with Mr. Bradley of the Comptroller's Office these reports and to pay the amount agreed upon between him and the representative of the Comptroller.

3. Upon consideration of all the evidence in this case the Commission finds that Blue's Truck Line, Inc., is guilty of failure to make reports of the mileage tax and to pay the same for the months herein mentioned but has agreed to accept payments in the method outlined herein.

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Blue's Truck Line, Inc., of Jacksonville, Florida, is guilty of failure to make reports and to pay the mileage tax for the months of November and December, 1937, and for the months of January, February, March, April, May and June of 1938, and has incurred a penalty which penalty is fixed as follows:

1. REVOCATION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

It is further **ORDERED** that the above mentioned sentence is suspended in consideration of the agreement of the respondent that it file with the Comptroller of the State of Florida, and copy thereof with the Railroad Commission, true and correct copies of the mileage taxes due on empty return movements of its trucks for the months in which it is delinquent, and to report and pay each month the mileage tax for loaded mileage for the current month, and to also pay during that month the mileage tax for the earliest delinquent month on the empty movement of its trucks, and shall stand suspended so long as this agreement is complied with. Failure of the respondent to comply

promptly with the terms of this arrangement will automatically result in the enforcement of the judgment of the Commission above fixed without further order.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of February, 1939.

CITATION

ORDER NO. 1153,

DOCKET NO. 267.

IN RE: CITATION AGAINST LEACH & ELDER STORAGE COMPANY OF JACKSONVILLE, FLORIDA, FOR FAILURE TO REPORT AND PAY THE MILEAGE TAX FOR THE MONTHS OF DECEMBER, 1938 AND JANUARY, 1939, AND ALSO FOR FAILURE TO FILE PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This matter came on for consideration before the Commission on February 28, 1939, upon citation issued to Leach & Elder Storage Company dated February 14, 1939 for failure to report and to pay mileage tax for the months of December, 1938 and January, 1939, and for failure to file public liability and property damage insurance.

No one appeared for the respondent.

2. It appearing that citation was issued and properly served upon Leach & Elder Storage Company, and that it has not filed with the Railroad Commission Public Liability and Property Damage Insurance, and it further appearing that the records of the Comptroller show that this Company has not filed mileage tax reports nor paid mileage tax for the months of December, 1938 and January, 1939.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Leach & Elder Storage Company is guilty as charged in said citation and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.
2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, THE SUM OF \$50.00 AS A FINE.

It is further ORDERED that this order shall take effect immediately and that the payment of the said fine of \$50.00, and the payment of all

mileage tax due the State of Florida, including the amounts due for the current months, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of such Certificate shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 2d day of March, 1939.

ORDER NO. 1154,

DOCKET NO. 453.

IN RE: APPLICATION OF WILLIAM L. BASS OF MIAMI, FLORIDA, FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE TRANSPORTING SEA FOOD PRODUCTS AND GOODS, WARES AND MERCHANDISE OF THE DOXSEE COMPANY, INC., BROOKLYN, N. Y., FROM MIAMI TO TAMPA AND FROM TAMPA TO MARCO ISLAND, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1030 dated July 26, 1937, Certificate of Public Convenience and Necessity was awarded to Wm. L. Bass, as a Contract Carrier transporting canned clams, clam juice, broth, chowder and bottle juice from Marco Island to Tampa and the transportation of empty cans and bottles and an occasional load of groceries from Tampa to Marco Island and an occasional load between Miami and Marco Island.

2. It now appears that the applicant William L. Bass has never complied with the rules and regulations of the Railroad Commission in that he has failed and refused to file Public Liability and Property Damage Insurance and to secure the necessary Commission plates, although letters were written to Mr. Bass, or his attorney, on August 26, 1937, October 12th and 16th and December 31, 1937. It now appears that Mr. Bass has still failed and refused to comply with the rules and regulations of the Commission.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that all authority contained in Order No. 1030 to operate motor vehicles as therein specified be and the same is hereby REVOKED and said Order No. 1030, dated July 26, 1937, be and the same is hereby CANCELED.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 5th day of June, 1939.

ORDER NO. 1155,

DOCKET NO. 100-23.

IN RE: APPLICATION OF GREEN BROTHERS TRANSFER COMPANY OF CLEARWATER, FLORIDA, TO CHANGE ITS SCHEDULE BETWEEN TAMPA AND CLEARWATER, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

This matter coming on before the Commission upon the application of Green Brothers Transfer Company to change its schedule between Tampa and Clearwater, and it appearing that this company has filed its Schedule No. 2, Time Table No. 1, superseding Schedule No. 1-A, and that public convenience and necessity require the granting of this application.

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Schedule No. 2, Time Table No. 1, of Green Brothers Transfer Company showing operations between Tampa and Clearwater, a copy of which is hereto attached and made a part of this order, be and the same is hereby **APPROVED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 12th day of June, 1939.

CITATION

ORDER NO. 1156,

DOCKET NO. 384.

IN RE: COMPLAINT AGAINST WIMBERLY TRANSFER, VALDOSTA, GEORGIA, FOR FAILURE TO FILE REPORTS AND PAY MILEAGE TAX FOR THE MONTHS OF DECEMBER, 1938 AND JANUARY, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

This matter came on for hearing before the Railroad Commission on February 28, 1939 on citation dated February 14, 1939 issued against Wimberly Transfer of Valdosta, Georgia, for failure to file reports and to pay the mileage tax due for the months of December, 1938 and January, 1939, and it appearing that while the mileage reports had not been made nor the mileage tax paid on the date the citation was issued that said reports were made and the mileage tax paid on the date of the hearing, February 28, 1939.

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the citation issued against Wimberly Transfer of Valdosta, Georgia, be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 2d day of March, 1939.

CITATION

ORDER NO. 1157,

DOCKET NO. 100-33.

IN RE: CITATION AGAINST UNIVERSITY CITY TRANSFER OF GAINESVILLE, FLORIDA, FOR FAILURE TO MAKE REPORTS AND TO PAY THE MILEAGE TAX FOR THE MONTHS OF AUGUST, SEPTEMBER, OCTOBER, NOVEMBER AND DECEMBER, 1938 AND JANUARY, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Citation dated February 14, 1939, issued against University City Transfer this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on February 28, 1939.

C. W. Gunn represented the applicant.

2. It appears from the testimony that University City Transfer does considerable hauling for the State for which it has not been paid and that it has allowed its mileage tax reports and the payment of the mileage tax to become delinquent until this citation was issued against it; that all the mileage tax reports have been made and the mileage tax paid through the month of January, 1939.

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against University City Transfer be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 2d day of March, 1939.

CITATION**ORDER NO. 1158,****DOCKET NO. 521.**

IN RE: CITATION AGAINST TOM H. BLOWERS OF JACKSONVILLE, FLORIDA, FOR FAILURE TO MAKE REPORTS AND TO PAY MILEAGE TAX FOR THE MONTHS OF DECEMBER, 1938 AND JANUARY, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Citation dated February 14, 1939, this matter came on for hearing before the Railroad Commission of the State of Florida at its Hearing Room, Tallahassee, Florida, on February 28, 1939.

No one appeared for applicant.

2. It appears from the testimony of a representative of the Comptroller of the State of Florida that on the 25th day of February, 1939, mileage tax reports were made for the month of December, 1938 and January, 1939, and mileage tax in the sum of \$284.16 was paid by the respondent covering the months of December, 1938 and January, 1939.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the citation issued against Tom H. Blowers of Jacksonville, Florida, be and the same is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 2d day of March, 1939.

CITATION**ORDER NO. 1159,****DOCKET NO. 100-6.**

IN RE: CITATION AGAINST THE L. & L. FREIGHT LINES, INC., FOR FAILURE TO REPORT AND PAY MILEAGE TAX FOR THE MONTHS OF DECEMBER, 1938 AND JANUARY, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Citation dated February 14, 1939, this matter came on for formal hearing before the Railroad Commission at its Hearing Room, Tallahassee, Florida, on February 28, 1939.

McCarthy Crenshaw appeared in behalf of L. & L. Freight Lines, Inc., the respondent.

2. It appears from the testimony in this case that the respondent company was delayed in making its reports on account of change in personnel in the office and that they were unable to pay the mileage tax due for the months of December, 1938 and January, 1939, by reason of having to pay out large sums for the tags for their trucks for the first six months of the present year but they have now filed their reports and paid mileage tax in full up to and including January, 1939.

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against the L. & L. Freight Lines, Inc., be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 2d day of March, 1939.

CITATION

ORDER NO. 1160,

DOCKET NO. 100-60.

IN RE: CITATION AGAINST PITTMAN TRUCK LINE OF PENSACOLA, FLORIDA, FOR FAILURE TO MAKE REPORTS AND PAY THE MILEAGE TAX FOR THE MONTHS OF JULY, AUGUST, SEPTEMBER, OCTOBER, NOVEMBER AND DECEMBER, 1938.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Citation dated February 14, 1939, this matter came on for hearing before the Railroad Commission of the State of Florida at its Hearing Room, Tallahassee, Florida, on February 28, 1939.

D. W. Berry appeared in behalf of Pittman Truck Line the respondent.

2. It appears from the testimony taken at that hearing that Mr. J. A. Pittman, the owner of Pittman Truck Line, had been in bad health and had practically relinquished control of his company to his sons. One of the sons was in charge of operations from Pensacola to River Junction and the other in charge of operations from Pensacola to the Florida-Alabama State line. Both of the boys appeared and testified. Mr. E. H. Pittman testified that he was operating that portion of the line between Pensacola and Florida-Alabama line and that his brother Mr. G. C. Pittman was operating that portion of the line between Pensacola and River Junction and they both agreed that they would be responsible for the mileage tax due the State on the whole operation and pay the same within a period of sixty days.

3. The Commission at that hearing found Pittman Truck Line guilty of having violated the law and the rules of the Railroad Commission and ordered its Certificate of Public Convenience and Necessity revoked for failure to make the reports and pay the mileage tax as charged but suspended the sentence on condition that these reports be made and the mileage be paid within sixty days from March 10, 1939. In other words that the revocation of the Certificate will automatically take effect if the mileage taxes have not been paid within sixty days from March 10th, 1939. It now appears that the reports have been made and the mileage taxes due the State through the month of May, 1939 have been paid.

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the judgment of the Commission entered on February 28, 1939 be **REVOKED** and that the Citation against Pittman Truck Line be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 14th day of June, 1939.

ORDER NO. 1161,

DOCKET NO. 100-138.

IN RE: APPLICATION OF ST. ANDREWS BAY TRANSPORTATION COMPANY FOR EXTENSION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY SO AS TO AUTHORIZE THE TRANSPORTATION OF PASSENGERS, MAIL AND LIGHT EXPRESS BETWEEN THE ALABAMA-FLORIDA STATE LINE TO LYNN HAVEN, FLORIDA, OVER STATE HIGHWAY NO. 52.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing pursuant to Notice No. 598 dated November 4, 1938, before the Railroad Commission at its Hearing Room, Tallahassee, Florida, on November 22, 1938. The following appeared:

H. H. Simms, Vice President, St. Andrews Bay Transportation Company represented the applicant.

For the protestant: Howard S. Bailey, Chipley and Robert Mathis, Jr., Panama City, Florida, attorneys for John B. Glen, as Receiver of the Alabama & Western Florida Railroad Company.

2. The St. Andrews Bay Transportation Company operates a bus line under authority of this Commission between Panama City, Florida,

and Dothan, Alabama, over State Highways Nos. 20 and 6 and serves the town of Marianna. This application seeks to extend the operating rights to include service over State Road No. 52 from Lynn Haven, which is just north of Panama City through Chipley and Graceville to the Alabama-Florida State line. The application was filed in 1937 and was first set for hearing in Chipley, Florida, on October 26, 1937. At the Chipley hearing the Commission also heard the application of H. D. Emerson, Receiver of the Alabama & Western Florida Railroad Company for authority to transport not only passengers but mail, express and freight over State Road No. 52. This applicant, however, requested a postponement of the hearing on this application until it could secure authority from the Interstate Commerce Commission to operate over this route. The Commission granted an indefinite postponement but heard the application of the receiver of the railroad.

3. The Commission on December 16, 1937 issued its Order No. 1050 approving the application of the receiver of the railroad to perform the service requested over this route and on January 4, 1939 a Certificate was issued to the receiver of the Alabama & Western Florida Railroad Company authorizing this service.

4. Public Convenience and Necessity has been shown to exist for service over this route and for the reasons set forth in Order No. 1050 the Commission is determined that the Certificate should be granted to the receiver of the railroad which parallels a greater part of this highway. The Commission finds that there is no need for an additional operation over this route.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of St. Andrews Bay Transportation Company for extension of its Certificates of Public Convenience and Necessity so as to authorize the transportation of passengers, mail and light express between the Alabama-Florida State line to Lynn Haven, Florida, be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 27th day of March, 1939.

ORDER NO. 1162,

DOCKET NO. 100-1.

APPLICATION OF CENTRAL TRUCK LINES, INC., OF TAMPA, FLORIDA, FOR CHANGES IN ALL OPERATING SCHEDULES IN THE STATE OF FLORIDA WITH MAXIMUM CHANGES OF THREE HOURS.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing before the Railroad Commission of the State of Florida pursuant to Notice No. 611 dated March 4, 1939, at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on March 30, 1939. Then and there appeared the following:

For applicant: John Allison and T. B. Smith.

For protestants: W. J. Oven for Receivers of Seaboard Air Line Railway; George A. K. Sutton for Atlantic Coast Line Railroad Company; J. R. Hunter for Railway Express Agency, Inc.; Ivan Green for Green Brothers Transfer Company and John A. Bliss for St. Johns River Line Company.

2. This application as presented for the approval of the Commission was for a complete new set of schedules for all operations conducted in the State of Florida. In most instances there are only slight changes from the existing schedules. The Commission is of opinion that the proposed new schedules should be approved, subject, however, to the following changes:

- (a) The Commission does not approve the last foot-note in each of the proposed schedules and requires that this foot-note be eliminated. This foot-note reads:

"The above times are the earliest times of departure. Schedule may be delayed in order to comply with drivers' hour restrictions, for equipment checking and servicing, and to receive interchange freight or late pick-up freight."

- (b) Proposed Schedule No. 1 is **APPROVED** with the insertion of the Northbound arrival times at Tampa and Jacksonville (7 P. M. and 6 A. M. respectively) and the insertion of the Southbound leaving times at Jacksonville and Tampa (9 A. M. and 6:30 P. M. (respectively).
- (c) Proposed Schedule No. 2 is **APPROVED** with the change as agreed upon in the Northbound leaving time at Tampa from

12:01 A. M. to 11:01 P. M., and a change in the Northbound leaving time at Plant City from 1:00 A. M. to 12:00 midnight.

(d) Proposed Schedule No. 5 is APPROVED with the following changes:

1. The last three foot-notes are stricken. One of these is the foot-note referred to under (a) above. Another is a foot-note which would permit the applicant to operate between Tampa and Clearwater via Davis Causeway or Road No. 17, the Commission being of opinion that the applicant has no authority to operate over this route which is served by other carriers. The other foot-note referring to intermediate and off-line points is already covered in the schedule.
2. The schedule must show, as agreed at the hearing, that the morning arrival time in Clearwater will be not before 8:40 A. M.
3. The schedule must show, in accordance with the agreement at the hearing, that on the afternoon schedule the applicant will not transport to Clearwater, Largo or Dunedin freight that originated in Tampa or that moved through Tampa.

(e) Schedule No. 20 is approved with the change of the Northbound leaving time at Tampa to read 11:00 P. M. and the Northbound leaving time at Plant City to read 12:01 A. M.

(f) Proposed Schedules Nos. 3, 4, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16 and 18 are approved as proposed with the elimination of the last foot-note described in (a) above.

3. The Commission has carefully considered the objections raised by the protestants and is of opinion that the schedules as approved will be in the public interest and enable the applicant to perform its duties as a common carrier. This Order will approve all the schedules operated by Central Truck Lines, Inc., in the State of Florida with the exception of the new schedule and service authorized between Brooksville and St. Petersburg via New Port Richey and Tarpon Springs as approved in Order No. 1148 dated March 27, 1939. The applicant will be required to file the required number of these new schedules incorporating the changes required above.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Time Table No. 4, Schedules Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 18 and 20

of Central Truck Lines, Inc., copies of which are attached hereto and made a part of this order be and the same are hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this June 12, 1939.

ORDER NO. 1163,

DOCKET NO. 100-6.

IN RE: APPLICATION OF L. & L. FREIGHT LINES, INC., FOR CHANGES IN ITS OPERATING SCHEDULES BETWEEN JACKSONVILLE AND GAINESVILLE; JACKSONVILLE AND PALATKA AND ORLANDO AND INDIAN RIVER CITY, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 611 dated March 4, 1939, this matter came on for hearing before the Railroad Commission of the State of Florida at its Hearing Room, Tallahassee, Florida, on March 30, 1939 at 10 o'clock A. M. The following appearances were entered:

McCarthy Crenshaw for L. & L. Freight Lines, Inc.—applicant.

W. J. Oven for Receivers of Seaboard Air Line Railway Company, John A. Bliss appeared for St. Johns River Line Company—protestants.

2. For transportation reasons, and in order to comply with the Hours of Service Rules and Regulations of the Interstate Commerce Commission the applicant desires to change its schedules between Jacksonville and Palatka by which the leaving time out of Jacksonville is fixed at 12:30 P. M. instead of 12:00 noon, and arrival time at Palatka is 5:40 P. M. instead of 5:10 P. M. The alleged purpose of this change is that it will reduce the number of hours the driver is actually on duty and will enable the company to use him as a freight solicitor and pay him a better salary.

It also desires to change its schedule between Jacksonville and Gainesville by changing the leaving time from Jacksonville to 3:30 A. M. instead of 11:30 P. M. and arrival time at Gainesville to 6:30 A. M. instead of 3:40 A. M. which will reduce the drivers driving time four hours and enable him to come within the Hours of Service rule of the Interstate Commerce Commission.

It is also proposed that the schedule between Orlando and Indian River City be changed, the result of which will be that the company

will operate what might be termed a "Shuttle Service" between Orlando and Indian River City in order to handle interstate business from Orlando to connect with the Southbound truck out of Jacksonville for points along the East Coast.

3. The Commission having considered these changes is of opinion that public convenience and necessity will be served by the granting of the application.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of L. & L. Freight Lines, Inc., for changes in its operating schedules between Jacksonville and Gainesville, Jacksonville and Palatka and between Orlando and Indian River City, Florida, be and the same are hereby **APPROVED**, and copies of said Schedules are hereto attached and made a part of this order.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of April, 1939.

ORDER NO. 1164,

DOCKET NO. 658.

IN RE: APPLICATION OF BATEMAN TRANSPORTATION COMPANY FOR COMMON CARRIER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO TRANSPORT FREIGHT FROM TALLAHASSEE VIA JACKSON BLUFF, HOSFORD, BRISTOL AND BLOUNTSTOWN TO CLARKSVILLE, KINARD, WEWAHITCHKA, SCOTT'S FERRY DAILY.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application was first set for hearing before the Railroad Commission of the State of Florida on March 29, 1939 at Tallahassee, Florida, pursuant to Notice No. 612 dated March 4, 1939. At that hearing a portion of the testimony was taken and at the request of the applicant hearing was continued until April 14, 1939 in Tallahassee at which time and place the balance of the testimony was taken. At these hearings the following appeared:

Keen & Allen for the applicant.

Marion B. Knight for Marianna & Blountstown Railroad Company; Mr. George Gore for Apalachicola Northern Railroad Company; J. R. Hunter for Railway Express Agency; W. J. Oven, W. F. Canova and L. F. Brown appeared for Seaboard Air Line Railway Company—protestants.

2. The applicant seeks a Certificate of Public Convenience and Necessity authorizing it to transport freight as a common carrier daily from Tallahassee over State Road No. 19 to Bristol and Blountstown and thence down State Road No. 6 to Wewahitchka via Clarksville and Kinard. The present transportation facilities into this territory are the Apalachicola Northern Railroad Company which serves Hosford on its line from River Junction to Port St. Joe; the Marianna & Blountstown Railroad operating between these points and the Highway Transportation Company operating a common carrier truck service from Marianna to Blountstown, Bristol and Wewahitchka and Lee's Coach Line operating a passenger and light express service between Tallahassee and Blountstown, Florida.

3. The applicant attempted to show that the territory in and around Bristol and Blountstown proposed to be served needs an additional transportation outlet eastward over State Road No. 19 into Tallahassee; that there is need for service from Tallahassee into this area. A number of witnesses were produced the purpose of whose testimony was that the new service would be of some convenience to shippers between Tallahassee and the Bristol-Blountstown area but the Commission is of opinion that the applicant failed to show sufficient actual need for additional transportation service as to meet the requirements of the law and the standards set by the Commission. The protestants showed that every town of size in this area was already served by the existing rail and truck lines; that the present facilities serving this territory are not operated to capacity and that the granting of this application would result in additional competitive service not needed in this community, and would have a serious effect upon transportation as a whole in this territory and would result in decreased revenues to the present carriers and therefore is not required by public convenience and necessity.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Bateman Transportation Company for a Certificate of Public Convenience and Necessity as a common carrier to transport freight between Tallahassee, Florida, and Jackson Bluff, Hosford, Bristol, Blountstown, Clarksville, Kinard, Wewahitchka and Scott's Ferry daily be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 28th day of April, 1939.

ORDER NO. 1165,

DOCKET NO. 636.

IN RE: APPLICATION OF CLEMENT WALTER JOHANSEN OF PENSACOLA, FLORIDA, FOR A PERMIT TO ENGAGE IN HEAVY HAULING WITHIN A RADIUS OF ONE HUNDRED AND FIFTY MILES OF PENSACOLA, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application for a permit came on for formal hearing before the Railroad Commission of the State of Florida pursuant to Notice No. 608 on March 1st, 1939 at Tallahassee, Florida. The following appeared:

Clement Walter Johansen for applicant.

O. O. Miller for protestants Marianna & Blountstown Railroad and Highway Transportation Company.

2. This is an application for permit to conduct what is commonly known as "heavy hauling" in West Florida within a radius of one hundred and fifty miles of Pensacola. The hearing was called to determine exactly what was intended to be hauled and to determine what limitations should be placed on the permit in order to protect existing transportation facilities. The applicant is an individual engaged in the contracting business and desires this permit to enable him to haul heavy materials out of Pensacola to large construction jobs in West Florida. The application is for authority to haul "creosoted pilings, timbers, poles, contractor's equipment and other heavy hauling which comes up at a moment's notice, such as boilers, engines, railroad rail of abandoned roads, stranded and wrecked airplanes and wrecked automobiles."

3. The only protestants were rail carriers, and the applicant agreed to restrict his transportation "to points not served by either rail or motor carriers and also such transportation to points served by rail and motor carriers if said rail and motor carriers shall refuse to accept and move such articles to such points after such shipments have been offered to said rail and motor carriers."

4. The Commission is of opinion that the granting of this permit, subject to the above restrictions for the protection of existing transportation, will be in the public interest.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of Clement Walter Johansen of Pensacola, Florida, for a Permit to conduct heavy hauling as above described be and the same is hereby GRANTED subject to the restrictions herein set forth.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 2d day of March, 1939.

CITATION

ORDER NO. 1166,

DOCKET NO. 400.

IN RE: COMPLAINT AGAINST RYDER TRUCKING COMPANY OF MIAMI, FLORIDA, AS TO VIOLATIONS OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION OF FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1139 dated March 16, 1939, the Railroad Commission of the State of Florida found Ryder Trucking Company guilty of certain violations of its rules and regulations and of the laws of the State of Florida and imposed penalties upon it as follows:

1. Revocation of its Certificate of Public Convenience and Necessity No. 204.
2. Payment to the Treasurer of the State of Florida of a fine of \$100.00.

It was provided in the order that the payment of this fine would be accepted as full satisfaction of all penalties contained in said order.

2. It now appearing that the said Ryder Trucking Company did pay its fine of \$100.00 in accordance with the terms and condition of said order:

It is, therefore, CONSIDERED ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the payment of \$100.00 is hereby accepted as full satisfaction of all penalties fixed in said order and the judgment contained in said order is hereby ordered satisfied and further proceedings in connection therewith are hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 21st day of June, 1939.

CITATION**ORDER NO. 1167,****DOCKET NO. 85.**

IN RE: COMPLAINT AGAINST K. & L. TRANSPORTATION COMPANY, INC., OF WAYCROSS, GEORGIA, FOR VIOLATION OF THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. K. & L. Transportation Company of Waycross, Georgia, operating interstate into the State of Florida, was cited by Order No. 1289 dated April 12, 1939, for violating the law and the rules and regulations of the Railroad Commission as set forth in detail in said Citation Order No. 1289.

2. Hearing on this Citation was set for April 27, 1939 and was upon request of the respondent postponed until further order of the Commission. The hearing was later set for May 16, 1939 at 10 o'clock A. M. in the Hearing Room of the Commission, Tallahassee, Florida. At this time Mr. J. C. Steadman, Vice President, appeared for K. & L. Transportation Company.

3. The representative of the respondent, K. & L. Transportation Company, admitted the actual facts but did not plead guilty to the statement that it was a wilful violation of the law. He claimed that the violation was due to a ruling of the Interstate Commerce Commission governing the hours of employees and that it was necessary to make this particular operation off schedule in order to come within said rule.

4. The Commission has carefully considered the evidence in this case and the statement of the Vice President in extenuation of its violation.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the respondent is guilty as charged in said Citation and penalties for such violations are hereby fixed as follows:

1. REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 178.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF A FINE OF \$100.00.

It is further ORDERED that the above penalties become effective on July 10, 1939, at 12:01 o'clock A. M.

It is further ORDERED that the payment by the said K. & L. Transportation Company of said fine of \$100.00 on or before 12:01 o'clock A. M. July 10th, 1939 will be accepted as full satisfaction of all penalties herein fixed, otherwise all penalties shall be and become immediately effective on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 27th day of June, 1939.

ORDER NO. 1168,

DOCKET NO. 497.

IN RE: APPLICATION OF PETER P. KOPLINSKI OF TAMPA, FLORIDA, FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A LIMITED COMMON CARRIER TRANSPORTING HOUSEHOLD GOODS.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1086 dated July 8, 1938, a Certificate of Public Convenience and Necessity limited to the transportation of uncrated Household Goods, Office Fixtures, Store Fixtures and Stock as provided for by Rule 7 of the Rules and Regulations of the Railroad Commission was granted to Peter Koplinski upon compliance with the rules and regulations of the Commission.

2. Copy of the order was on July 26, 1938 served on this applicant with the advice that he must comply with the rules by remitting 50c to cover cost of Commission Plate and filing Certificate of Insurance covering public liability and property damage on his truck. Not having heard from the applicant a further notice was sent to his attorneys, Messrs. Kitchen & Schwartz, Attorneys at Law, Jacksonville, Florida, requiring that the applicant comply with the rules and regulations of the Commission as to filing of Certificate of Insurance and obtaining Commission plate and notifying him that unless something was done within the next ten days his authority to operate under said order would be revoked.

It now appears that the applicant, Peter P. Koplinski has failed and refused to comply with the rules and regulations of the Commission:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the authority granted to him to operate motor vehicles for the transportation of uncrated household goods, etc., under said Order No. 1086, dated July 8,

1938, be and the same is hereby **WITHDRAWN** and said order is **CANCELED** and **REVOKED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 27th day of June, 1939.

ORDER NO. 1169,

DOCKET NO. 199.

IN RE: APPLICATION OF OVERSEAS TRANSPORTATION COMPANY, INC., OF MIAMI, FLORIDA, FOR LEAVE TO OPERATE ITS SCHEDULE NO. 4, TIME TABLE NO. 1, ON ALTERNATE DAYS. BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By petition filed on June 20, 1939, Overseas Transportation Company, Inc., of 228 S. W. North River Drive, Miami, Florida, operating as a motor common carrier of freight under Certificates of Public Convenience and Necessity Nos. 146 and 57 between the cities of Miami and Key West, Florida, over Florida Highway No. 4-A requested leave to operate its Schedule No. 4, Time Table No. 1, departing Southbound from Miami on Tuesdays, Thursdays and Saturdays and on other days when necessary, and Northbound from Key West on Mondays, Wednesdays and Fridays and on other days when necessary of each week with the right to resume operation of a permanent daily round-trip schedule if and when traffic justifies such schedule.

2. The petitioner sets out that at present the lack of tonnage and revenue on freight delivered and received from points intermediate Florida City and Key West does not justify a daily operation of said Schedule No. 4. It agrees to continue to render daily service to the intermediate points between Florida City and Key West for perishables and emergency shipments under its Schedule No. 6. It appears that no other schedule changes are sought by this application.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Overseas Transportation Company, Inc., to operate its Schedule No. 4, Time Table No. 1 on Tuesdays, Thursdays and Saturdays and other days when necessary Southbound from Miami, Florida, and on Mondays, Wednesdays and Fridays and other days when necessary Northbound from Key West, Florida, of each week until such time as the tonnage and revenue justifies a resumption of its daily schedule, be and the same is hereby **APPROVED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 27th day of June, 1939.

ORDER NO. 1170,**DOCKET NO. 85.**

IN RE: REVISION OF SCHEDULES OF K. & L. TRANSPORTATION COMPANY OF JACKSONVILLE, FLORIDA, BETWEEN JACKSONVILLE AND THE GEORGIA-FLORIDA STATE LINE.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 616, dated May 2, 1939, this matter came on for consideration before the Commission at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on May 16, 1939.

J. C. Steadman appeared for K. & L. Transportation Company.

J. R. Hunter for Railway Express Agency.

2. The notice under which hearing was held required the applicant to furnish proof to the Commission that it had served at least ten days prior to the date of the hearing copies of the proposed new schedule, and copies of the schedule superseded on all common carrier lines and motor lines serving the territory. It appeared that the applicant had complied with that part of its order which required service upon the motor carrier lines but had not filed copies of the proposed schedule with the rail lines. At the conclusion of the hearing the applicant was required to furnish the rail carriers copies of this schedule and ten days was then allowed to file any protest to the granting of such schedule. The applicant, by letter dated May 17th, stated that he had served the Atlantic Coast Line Railroad Company and the Railway Express Agency with copies of this schedule. The Commission has had no protest from these carriers.

3. The applicant has been operating three schedules Northbound out of Jacksonville and four schedules Southbound into Jacksonville, and it also has an additional schedule leaving Jacksonville at 2:00 P. M. Northbound on Saturday and is asking that this be made a permanent schedule so that the result of this application is that the applicant is asking for two additional schedules. The applicant testified that this was done by reason of the rules and regulations of the Interstate Commerce Commission with regard to the hours of employees and with particular reference to the number of hours of employees. This provides that drivers of common carrier trucks cannot drive more than ten hours with an eight hour rest period in any twenty-four hours nor more than sixty hours in any week of one-hundred and sixty-eight consecutive hours. The applicant pays its employees on a weekly basis and proposes these schedules so that it may continue this basis on weekly pay, otherwise it will have to pay the drivers on the Jacksonville-Waycross route on an hourly basis and cut them off whenever they are not

driving in order to comply with the regulations of the Interstate Commerce Commission. The applicant contends that these schedules will not conflict nor be competitive with any of the common carriers.

WHEREFORE it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the attached copy of Time Table No. 3, Schedules 1, 2, 3, 4, 5, 6, of the applicant, K. & L. Transportation Company, Inc., on its run between Jacksonville and the Georgia-Florida line and Waycross, Georgia, be and the same is hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 15th day of June, 1939.

ORDER NO. 1171,

DOCKET NO. 572.

IN RE: APPLICATION OF GATOR MOTOR LINES, INC., OF ST. AUGUSTINE, FLORIDA, FOR EXTENSION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 208 AUTHORIZING IT TO TRANSPORT PASSENGERS AND LIGHT EXPRESS BETWEEN GAINESVILLE AND CEDAR KEYS OVER STATE ROAD NO. 13 AND BETWEEN GAINESVILLE AND PALATKA SERVING ORANGE HEIGHTS, MELROSE, KEYSTONE HEIGHTS AND CARAWAY OVER ROADS NOS. 80, 28 AND 267.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 615 dated April 10, 1939, this matter came on for formal hearing before the Railroad Commission at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on April 25, 1939.

Mrs. Hazel C. Bell appeared for the applicant.

C. J. Gunn for University Transfer Company; George C. Sutton for town of Keystone Heights.

2. Gator Motor Lines, Inc., holds Certificate of Public Convenience and Necessity No. 208, operating two round-trips daily between St. Augustine and Gainesville over State Road No. 14. It now desires to extend its Certificate authorizing it to operate one round trip schedule daily from Gainesville into Cedar Keys and from Palatka through Melrose and Keystone Heights into Gainesville. It appears that Florida Motor Lines is now operating through Melrose and Keystone Heights due to the rebuilding of Road No. 13 and that when that road is completed it will resume its service coming into Starke directly from Waldo

and thereby eliminate Keystone Heights and Melrose. The applicant proposes to begin its service at Cedar Keys leaving at 8:50 in the morning connecting in Bronson with Tamiami Trail Tours at 9:55 and arriving in Gainesville at 10:40. It then proposes to leave Gainesville at 1:30 P. M. arriving at Palatka at 3:05 P. M. connecting with its present schedule going into St. Augustine. It then would leave Palatka at 6:50 P. M. arriving at Cedar Keys at 10 o'clock P. M. This schedule would enable passengers out of Cedar Keys arriving in Gainesville at 10:40 A. M. to make connection with several of the Florida Motor Lines' busses going into Jacksonville. This same passenger could return from Jacksonville to Gainesville in time to catch the bus of the Gator Motor Lines and be back in Cedar Keys at 10 o'clock the same night. The present schedule from Gainesville to Cedar Keys is operated by University City Transfer Company and operated at the request of the Commission. The accommodations are poor since the University City Transfer Company is a freight line and not a passenger line, and under the present schedule it is impossible for a passenger from Cedar Keys to come into Gainesville and return the same day. It is apparent from the testimony that the citizens of Keystone Heights and Melrose much prefer service by the Florida Motor Lines as its schedule is faster and shorter into Jacksonville. That in the event they are unable to secure this service they favor the granting of the present application. It also appears that Florida Motor Lines has agreed not to oppose the present application and will work with the applicant, Gator Motor Lines, Inc., in making connections if this application is granted.

3. The Commission having considered the whole record is of opinion that public convenience and necessity require the granting of this application.

WHEREFORE it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of Gator Motor Lines, Inc., of St. Augustine for an extension of its Certificate of Public Convenience and Necessity No. 208, authorizing the transportation of passengers and light express between Gainesville and Cedar Keys over State Road No. 13, and between Gainesville and Palatka serving Keystone Heights, Melrose and Orange Heights over State Roads Nos. 80, 28 and 267 be and the same is hereby GRANTED and the said Gator Motor Lines, Inc., is hereby authorized to operate over these routes the schedules filed with its application.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 27th day of June, 1939.

ORDER NO. 1172,

DOCKET NO. 551.

**IN RE: PORT EVERGLADES TERMINAL COMPANY—CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY NO. 206.**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1079, dated June 27, 1938, Port Everglades Terminal Company was granted a Certificate of Public Convenience and Necessity as a Private Contract Carrier by motor vehicle to transport under contract plaster, plasterboard and other related articles manufactured by the National Gypsum Company from Port Everglades, Florida, to local dealers and distributors within a radius of one-hundred and thirty miles of Port Everglades, Florida.

2. Port Everglades Terminal Company qualified with this Commission and Certificate of Public Convenience and Necessity No. 206 was issued to it and it has been operating under said Certificate since that time. It now appears from a letter dated June 20, 1939 that Port Everglades Terminal Company has requested the cancellation of its Certificate as there will be no occasion in the near future for further trucking operations in connection with the movement of National Gypsum Company products.

WHEREFORE, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the authority granted to Port Everglades Terminal Company under Certificate of Public Convenience and Necessity No. 206 is hereby REVOKED and said Certificate is hereby CANCELED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this June 27th, 1939.

CITATION

ORDER NO. 1173,

DOCKET NO. 410.

**IN RE: COMPLAINT AGAINST R. K. HOWARD, DOING BUSINESS
AS HOWARD TRANSFER COMPANY OF ORLANDO, FLORIDA,
FOR VIOLATION OF THE LAW AND THE RULES AND REGU-
LATIONS OF THE RAILROAD COMMISSION.**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that R. K. Howard, doing business as Howard Transfer Company of Orlando, Florida,

has violated the law and the rules and regulations of this Commission in the particulars hereinafter set forth:

Therefore you, R. K. Howard, doing business as Howard Transfer Company, TAKE NOTICE that the Railroad Commission of the State of Florida charges you with violation of the law and the rules and regulations of this Commission as follows:

1. A wilful violation of Chapter 14764, Laws of Florida, Acts of 1931, in that you did on or about June 2, 1939, transport for compensation certain machinery for the Doctor Pepper Bottling Company from Lakeland, Florida, to Orlando, Florida, without any authority from the Railroad Commission authorizing you to transport such commodity between such points.

And further TAKE NOTICE that on Wednesday, JULY 19, 1939 at 10 o'clock A. M. the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charge.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 8th day of July, 1939.

CITATION

ORDER NO. 1174,

DOCKET NO. 100-106.

IN RE: COMPLAINT AGAINST SUDDATH MOVING & STORAGE COMPANY OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that Suddath Moving & Storage Company of Jacksonville, Florida, has violated the law and the rules and regulations of this Commission in the particulars hereinafter set forth:

Therefore, you, Suddath Moving & Storage Company TAKE NOTICE that the Railroad Commission of the State of Florida charges you with

violation of the law and the rules and regulations of the Railroad Commission as follows:

1. A wilful violation of Rule 7 of the Rules and Regulations of the Railroad Commission governing the transportation of Uncrated Household Goods, Office Fixtures, Store Fixtures and Stock, and of Chapter 14764, Laws of Florida, Acts of 1931, in that you did on or about June 20, 1939 transport for compensation in two trucks Uncrated Store Fixtures from Miami, Florida, to Ocala, Florida, without having any authority from the Florida Railroad Commission authorizing you to transport such commodities between such points.

And further TAKE NOTICE that on Wednesday, July 19, 1939 at 10 o'clock A. M. the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charge.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 8th day of July, 1939.

CITATION

ORDER NO. 1175,

DOCKET NO. 100-111.

IN RE: COMPLAINT AGAINST JOHN E. WITHERS TRANSFER & STORAGE COMPANY OF MIAMI, FLORIDA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that John E. Withers Transfer & Storage Company of Miami, Florida, has violated the law and the rules and regulations of this Commission in the particulars hereinafter set forth:

Therefore you, John E. Withers Transfer & Storage Company TAKE NOTICE that the Railroad Commission of the State of Florida charges

you with violation of the law and the rules and regulations of the Railroad Commission as follows:

1. A wilful violation of Chapter 14764, Laws of Florida, Acts of 1931, in that you did on or about April 12, 1939 transport for compensation by motor vehicle over the public highways of the State of Florida a truck load of whiskey from Miami to Tampa and St. Petersburg or some points in the vicinity thereof without any authority from the Florida Railroad Commission to transport such commodity between such points.

And further TAKE NOTICE that on Wednesday, JULY 19, 1939, at 10 o'clock A. M. the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charge.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 8th day of July, 1939.

CITATION

ORDER NO. 1176,

DOCKET NO. 100-43.

IN RE: COMPLAINT AGAINST KENNELLY TRANSFER & STORAGE COMPANY OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that Kennelly Transfer & Storage Company of Jacksonville, Florida, has violated the law and the rules and regulations of this Commission in the particulars hereinafter set forth:

Therefore you, Kennelly Transfer & Storage Company TAKE NOTICE that the Railroad Commission of the State of Florida charges you with violation of the law and the rules and regulations of the Railroad Commission as follows:

1. A wilful violation of Chapter 14764, Laws of Florida, Acts of 1931, and of the authority heretofore granted you by the

Railroad Commission, in that you did on or about June 19, 1939, transport for compensation by motor vehicle over the public highways of the State of Florida a load of empty reels and roll copper wire from Ocala, Florida, to Jacksonville, Florida, without any authority from the Railroad Commission to transport such commodities between such points.

And further TAKE NOTICE that on Thursday, July 20, 1939, at 10 o'clock A. M. the Railroad Commission of the State of Florida will be in session at its HEARING ROOM, Supreme Court Building, TALLAHASSEE, FLORIDA, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charge.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 11th day of July, 1939.

ORDER NO. 1177,

DOCKET NO. 100-1.

IN RE: APPLICATION OF CENTRAL TRUCK LINES, INC., OF TAMPA, FLORIDA, FOR CHANGES IN ALL OPERATING SCHEDULES IN THE STATE OF FLORIDA WITH MAXIMUM CHANGES OF THREE HOURS.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

SUPPLEMENTAL ORDER TO ORDER NO. 1162

The application of Central Truck Lines, Inc., of Tampa, Florida, for certain operating schedules changes coming on for further consideration with reference to proposed Schedule No. 5, and the Commission having determined that paragraph 2 (d) of Order No. 1162 dated June 12, 1939, should be modified so as to authorize the operation of Schedule No. 5 as the same is attached to said Order No. 1162:

It is therefore CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that sub-paragraph (d) of paragraph 2 of Order No. 1162, dated June 12, 1939, be and the same is hereby stricken and eliminated from said order, and that Time Table No. 4, Schedule No. 5, of Central Truck Lines, Inc., a copy of which is attached to and made a part of said Order No. 1162, be and the same is hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of July, 1939.

ORDER NO. 1178,

DOCKET NO. 100-66.

IN RE: APPLICATION OF BLUE'S TRUCK LINE, INC., FOR EXTENSION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 111 TO TRANSPORT UNDER CONTRACT WITH STANDARD OIL COMPANY PETROLEUM, PETROLEUM PRODUCTS AND BY-PRODUCTS, INCLUDING SUPPLIES AND EQUIPMENT USED IN THE SALE AND DISTRIBUTION OF PETROLEUM AND PETROLEUM PRODUCTS, OVER THE ROADS AND HIGHWAYS OF THE STATE OF FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 615 dated April 10, 1939, this matter was set down for hearing before the Railroad Commission at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on April 25, 1939. At this hearing this cause was postponed until the further order of the Commission.

2. Pursuant to Notice No. 618 dated May 22, 1939, this matter was set down for hearing at the Seminole Hotel in Jacksonville, Florida, on June 6th, 1939. At this hearing counsel for applicant moved for authority to withdraw this application.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that this application be granted and the application of Blue's Truck Line, Inc., for extension of its Certificate be and the same is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 6th day of June, 1939.

ORDER NO. 1179,

DOCKET NO. 664.

IN RE: APPLICATION OF MOTOR FUELS, INC., OF JACKSONVILLE, FLORIDA FOR CONTRACT CARRIER CERTIFICATE TO TRANSPORT UNDER CONTRACT FOR STANDARD OIL COMPANY AND SEABOARD OIL COMPANY PETROLEUM PRODUCTS AND BY-PRODUCTS FROM MIAMI BEACH, PORT TAMPA AND JACKSONVILLE, ST. MARKS, PENSACOLA AND CARRABELLE, FLORIDA, TO ALL POINTS IN THE STATE OF FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 618, dated May 22, 1939, this matter was assigned for hearing at the Seminole Hotel, Jacksonville, Florida, on June 6, 1939.

2. At this hearing the Commission granted a motion of counsel for applicant that this application be withdrawn.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Motor Fuels, Inc., of Jacksonville, Florida, for Certificate as above described be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 6th day of June, 1939.

ORDER NO. 1180,

DOCKET NO. 100-40.

IN RE: APPLICATION OF J. G. COATS, DOING BUSINESS AS COATS MOTOR TRANSFER COMPANY OF FORT PIERCE, FLORIDA, FOR A "FOR HIRE" PERMIT TO TRANSPORT GOODS, WARES AND MERCHANDISE BETWEEN MIAMI, WEST PALM BEACH, STUART, OKEECHOBEE AND FORT PIERCE, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 618, dated May 22, 1939, this matter was set down for hearing at the Seminole Hotel, Jacksonville, Florida, on June 6th, 1939.

2. At said hearing the Commission granted motion of counsel for applicant that this application be withdrawn, and that further hearing thereon should be discontinued.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of J. G. Coates, doing business as Coats Motor Transfer Company for a "For Hire" Permit to transport goods, wares and merchandise between Miami, West Palm Beach, Stuart, Okeechobee and Fort Pierce, Florida, be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 6th day of July, 1939.

ORDER NO. 1181,

DOCKET NO. 100-100

IN RE: AUTHORITY OF LEONARD BROTHERS TRANSFER & STORAGE COMPANY, INC., OF MIAMI, FLORIDA, AS AN AUTO TRANSPORTATION COMPANY.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 138 dated May 5, 1930, all authority granted to Leonard Brothers Transfer & Storage Company to operate as an auto transportation company over the same routes it was operating over on April 19, 1929, as a contract carrier was revoked for failure to comply with the law and the rules and regulations of this Commission.

2. By Order No. 317 dated November 22, 1930, the order of August 5, 1929, was vacated and a Certificate of Public Convenience and Necessity was authorized to be issued to said Leonard Brothers Transfer & Storage Company, Inc., to operate in contract service under contract with Rath Packing Company of Waterloo, Iowa, and also under contract with Air Reduction Sales Company of Charlotte, N. C., covering distribution of oxygen and acetylene gas between all points north and south of Miami, Florida, from Key West, Florida, to Kelsey City, Florida.

3. By Order No. 323 (amending Order No. 317) dated May 21, 1931, Certificate of Public Convenience and Necessity of Leonard Brothers Transfer & Storage Company, Inc., was amended to include the transportation of household goods and heavy machinery only from Miami to points in the State of Florida. Under this Certificate the hauling of household goods and heavy machinery was limited to operation out of Miami only.

4. By telegram dated December 21, 1931, this Commission approved application of Leonard Brothers Transfer & Storage Company to transport race horses between Hialeah and Coral Gables, Florida.

5. By opinion and Order No. 1000, dated March 10, 1937, issued in the application of Railway Express Agency, Inc., to transport race horses between Tropical Park race track and Hialeah race track, this Commission found that the transportation of race horses between these points was transportation in common carriage and classified such carriers as limited common carriers. It also found that Leonard Brothers transfer & Storage Company, Inc., had been engaged in this operation since the inauguration of the race tracks in Dade County, and its right to continue such operation was confirmed by said order.

6. On June 26, 1939, Leonard Brothers Transfer & Storage Company, Inc., filed its petition with this Commission to revise and amend its Certificate so that it might be permitted to engage as a limited common carrier in transporting a large number of commodities to and from all points and places in the State of Florida over the highways of said State by motor vehicles.

7. The Commission has carefully examined its records with reference to the authority of Leonard Brothers Transfer & Storage Company, Inc., to operate as an auto transportation company and finds:

- (a) That its contracts with Rath Packing Company and Air Reduction Sales Company have long since expired and its authority as a private contract carrier should be revoked.
- (b) It is entitled to operate as a limited common carrier transporting used and uncrated household goods, office fixtures and furniture under the rules and regulations of the Railroad Commission.
- (c) It is entitled to operate as a limited common carrier transporting race horses between the race tracks in Dade County, Florida.
- (d) It is entitled to operate as a limited common carrier transporting heavy machinery from Miami, Florida, only to various points in the State, and its authority to transport such heavy machinery should be limited as other carriers are limited who transport similar commodities.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the right of Leonard Brothers Transfer & Storage Company, Inc., to operate as a private contract carrier be and the same is hereby **REVOKED** and **CANCELED**, and especially those rights existing under contract with Rath Packing Company and Air Reduction Sales Company which are specially **REVOKED** hereby.

It is further ORDERED that a Certificate of Public Convenience and Necessity as a limited common carrier is hereby awarded to said Leonard Brothers Transfer & Storage Company, Inc., as of December 21, 1931, authorizing it "to transport race horses between the tracks in Dade County, Florida, and between the depots and stations of the rail lines and the said race tracks."

It is further ORDERED that under authority of Order No. 323 above mentioned, Leonard Brothers Transfer & Storage Company, Inc., be and it is authorized "to transport heavy machinery which shall include heavy contractors' equipment, show equipment, farm equipment, and machinery, boats, tanks and extra heavy steel for structural purposes from Miami only to points not served by either rail or motor carriers, and provided further that said Leonard Brothers Transfer & Storage Company, Inc., also be permitted to transport the above mentioned and described heavy articles from Miami to points served by rail and motor carriers if said rail and motor carriers shall refuse to accept and move such articles to such points after such shipments have been offered to said rail and motor carriers."

It is further ORDERED that Leonard Brothers Transfer & Storage Company, Inc., be and it is hereby ORDERED "to cease and desist from engaging in any kind of transportation by motor vehicles for compensation except such as is specially authorized herein."

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 26th day of July, 1939.

ORDER NO. 1182.

DOCKET NO. 100-60 AND 668.

IN RE: JOINT APPLICATION OF J. A. PITTMAN D/B/A AS PITTMAN TRUCK LINE AND GROVER PITTMAN FOR TRANSFER OF THAT PORTION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 124, BETWEEN PENSACOLA, FLORIDA AND RIVER JUNCTION, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. The above application came on for formal hearing before the Railroad Commission of the State of Florida at its hearing room in the Supreme Court Building, Tallahassee, Florida, on July 19, 1939, pursuant to Notice No. 619, dated July 1, 1939, the following appeared:

Hon. Philip D. Beall of Pensacola, Florida for the joint applicants.

2. J. A. Pittman, d/b/a Pittman Truck Line holds Certificate of Public Convenience and Necessity No. 124 and is authorized under Order numbered 170, dated July 4, 1930, to transport commodities generally as a common carrier over said Road No. 1, between Pensacola and River Junction, Florida. He is also authorized under Order No. 766, dated July 17, 1935, to operate in interstate commerce only over State Road No. 7, between Pensacola and the Alabama State line. This applicant seeks approval of the transfer only of the rights over State Road No. 1.

3. Grover Pittman, the transferee, is the son of J. A. Pittman, and it appears that Grover Pittman has actually been operating for some time this portion of the line and is fully able to carry on the operation and meet the needs of the shipping public. The transferee has agreed to assume all outstanding obligations of the Pittman Truck Line and will be required to file copies of his operating schedules, qualify in his name the vehicles to be used in his operation, and file certificate of insurance, all as required by the law and rules and regulations of this Commission. The Commission finds that this transfer will be in the public interest and will improve transportation facilities in the territory involved.

WHEREFORE it is CONSIDERED, ORDERED AND ADJUDGED by the Florida Railroad Commission of the State of Florida, that the transfer of that portion of Certificate of Public Convenience and Necessity No. 124, between Pensacola and River Junction, Florida, over State Road No. 1, from J. A. Pittman, to Grover Pittman, Pensacola, Florida, and the same is hereby APPROVED upon compliance with the law and rules of the Commission as set forth above.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 26th day of July, 1939.

ORDER NO. 1183,

DOCKET NO. 100-60 AND 672.

IN RE: JOINT APPLICATION OF J. A. PITTMAN DOING BUSINESS AS PITTMAN TRUCK LINE, AND M. & A. MOTOR FREIGHT LINES, INC., OF ATLANTA, GEORGIA, FOR APPROVAL OF THE LEASE OF A PORTION OF THE PITTMAN TRUCK LINE.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. It appears from the joint application filed herein that M. & A. Motor Freight Lines, Inc., has agreed to purchase from J. A. Pittman that portion of the Pittman Truck Line's operation in the State of

Florida which is over State Road No. 7 between Pensacola, Florida, and Flomaton, Alabama. This operation is authorized by Order No. 766 of this Commission, dated July 17, 1935, and is limited to the transportation of interstate commerce. It further appears that pending the approval of the Interstate Commerce Commission for this purchase, the parties entered into a lease agreement on April 21, 1939, whereby the operating rights of Pittman were leased by the M. & A. Line and that such lease agreement had been approved by the Interstate Commerce Commission by an order entered April 17, 1939. This application seeks approval by this Commission of said lease and the issuance to the M. & A. Line of a temporary certificate of registration.

2. Since the operation is entirely one in interstate commerce and the Interstate Commerce Commission has approved the lease this Commission will approve the same without formal hearing upon compliance by the M. & A. Motor Freight Lines with the law and rules and regulations of this Commission governing the filing of schedules, qualification of vehicles and filing of Certificate of Insurance. A temporary Certificate of Registration will be issued to the M. & A. Motor Freight Lines pending the action of the Interstate Commerce Commission in the matter.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that in accordance with the foregoing provisions the lease of that portion of the operating rights of J. A. Pittman, doing business as Pittman Truck Line, between Pensacola, Florida, and Flomaton, Alabama, over State Road No. 7, to M. & A. Motor Freight Lines, Inc., of Atlanta, Georgia, be and the same is hereby **APPROVED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 8th day August, 1939.

ORDER NO. 1184,

DOCKET NO. 85.

IN RE: COMPLAINT AGAINST K. & L. TRANSPORTATION COMPANY, INC., OF WAYCROSS, GEORGIA, FOR VIOLATION OF THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

This Commission by Order No. 1167, dated June 27, 1939, found K. & L. Transportation Company, Inc., guilty of violating the law and rules and regulations of the Commission as set forth in Citation Order

No. 1289, dated April 12, 1939. The respondent having paid the fine of \$100.00 assessed by said Order No. 1167.

It is therefore **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the payment of the said fine of \$100.00 is hereby accepted as full satisfaction of all penalties fixed in said Order No. 1167 and the judgment of said order is hereby satisfied and all proceedings in connection therewith are hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 26th day of July, 1939.

ORDER NO. 1185,

DOCKET NO. 669.

IN RE: APPLICATION OF LESTER SUMMERSILL AND V. L. SUMMERSILL, DOING BUSINESS AS SUWANNEE AND GULF STAGES OF MAYO, FLORIDA, FOR A COMMON CARRIER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO TRANSPORT PASSENGERS, BAGGAGE AND LIGHT EXPRESS BETWEEN LIVE OAK, MAYO AND DEADMAN'S BAY.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing before the Railroad Commission of the State of Florida in Tallahassee, Florida, on July 19, 1939, pursuant to Notice No. 619, dated July 1, 1939.

The following appeared:

Mr. Lester Summersill for the applicant.

2. This application seeks authority to operate a bus line over State Road No. 69 between Live Oak, Mayo, Clara and the town of Steinhatchee, which is located on the Gulf of Mexico at the head of Deadman's Bay. There is no bus service at present between these points and the applicants produced eight witnesses to testify to the need of service through this territory. The Commission is of opinion that public convenience and necessity require the granting of this application and that the applicants are able to furnish the service required.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Lester Summersill and V. L. Summersill, doing business as Suwannee and Gulf Stages of Mayo, Florida, for a certificate of public convenience and necessity as a common carrier of passengers, baggage and light express,

over State Road No. 69 between Live Oak and Deadman's Bay on the Gulf be and the same is hereby GRANTED as of August 8, 1939.

It is further ORDERED that Local Passenger Tariff No. 1 of Suwannee and Gulf Stages, attached hereto and made a part of this Order as Exhibit A, and Time Table No. 1, Schedule No. 1, of Suwannee and Gulf Stages, attached hereto and made a part of this Order as Exhibit B, be and the same are hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session in Tallahassee, Florida, this 19th day of July, 1939.

ORDER NO. 1186,

DOCKET NO. 100-13 AND 670.

IN RE: JOINT APPLICATION OF TAMiami TRAIL TOURS, INC., AND R. R. BROWN DOING BUSINESS AS BROWN TRANSFER & STORAGE SERVICE OF WEST PALM BEACH, FLORIDA, FOR TRANSFER OF SPECIAL CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY GRANTED AS AN EXTENSION OF CERTIFICATE NO. 93, ORDER NO. 183, COVERING CARRIAGE OF HOUSEHOLD GOODS FROM WEST PALM BEACH, FLORIDA, TO ANY POINTS IN THE STATE OF FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing before the Railroad Commission of the State of Florida at Tallahassee, Florida, on July 19, 1939, pursuant to Notice No. 619, dated July 1, 1939. The following appeared:

A. Pickens Coles for joint applicants.

Leo P. Kitchen and Dan R. Schwartz for Brown Transfer Company, Delcher Brothers Transfer & Storage Company, Suduth Moving & Storage Company and John E. Withers Transfer & Storage Company.

2. The Railroad Commission by Order No. 183, dated September 4, 1930, extended the Certificate of Public Convenience & Necessity held by Elliott Young Consolidated of West Palm Beach, Florida, to include the transportation of "Household Goods" as defined by the rules of the Commission between West Palm Beach and all other points in the State of Florida. By Order No. 1072, dated May 30, 1938, the Commission approved the transfer of all the operating rights of Elliott-Young Consolidated, including the above household goods authority, to Tamiami Trail Tours, Inc. This application seeks approval of the transfer of

these rights to R. R. Brown, doing business as Brown Transfer & Storage Service.

3. Protesting this application are other household goods carriers of West Palm Beach and Jacksonville. The sole ground of protest is that the rights granted under Order No. 183 have not been used for several years and that an abandonment has taken place. We cannot agree with this contention. The Commission has never canceled this authority and would have no right to do so absent a full public hearing. Order No. 183 specifically finds that there is a need for a household goods carrier in West Palm Beach and that there were no others performing such service at that time. Others have been granted household goods certificates since then, but the fact that the Elliott-Young certificate may not have been used is not justification under the law for cancelling the same or refusing to recognize it as transferable.

4. The transferee, R. R. Brown, runs a local transfer business in West Palm Beach and has authority under the Federal Motor Carrier Act to haul household goods in interstate commerce. The Commission finds the transferee well qualified to perform this service intrastate and is of opinion that the public interest and transportation facilities within the territory involved will be served by the transfer sought.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the joint application for approval of the transfer of the Household Goods authority held by Tamiami Trail Tours, Inc., to R. R. Brown, doing business as Brown Transfer & Storage Service be and the same is hereby **GRANTED** and approval is hereby given for such transfer.

It is further **ORDERED** that this order shall become effective upon compliance by the transferee with the rules and regulations of this Commission governing the qualification of vehicles and the filing of Certificate of Insurance.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 26th day of July, 1939.

ORDER NO. 1187,

DOCKET NO. 450.

IN RE: APPLICATION OF G. J. CREEDEN FOR EXTENSION OF CONTRACT CARRIER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 450 TO INCLUDE THE TRANSPORTATION OF PRODUCTS OF THE ATLANTIC COMPANY TO PANAMA CITY AND LAKE CITY, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing before the Railroad Commission of the State of Florida at Tallahassee, Florida, on July 19, 1939, pursuant to Notice No. 619, dated July 1, 1939. The following appeared:

Honorable W. N. Ellis of Orlando, Florida, represented the applicant.

2. The applicant holds Contract Carrier Certificate of Public Convenience and Necessity No. 450 and is authorized by Order No. 1031, dated July 8, 1937, to transport beer, ale and advertising matter for the Atlantic Company between its brewery in Orlando, Florida, and various points in the State of Florida as named in said order. This application seeks to extend that authority to include transportation between Orlando and Lake City and Orlando and Panama City. The applicant has filed an amended contract with the Atlantic Company which includes Panama City but does not include Lake City. However, the parties have testified that there is a verbal agreement in effect covering the hauling to and from Lake City, and that a formal written agreement covering this point will be entered into. The authority herein granted to transport to and from Lake City will be conditioned upon the applicant filing, as agreed, a formal contract covering this point.

3. The Commission having carefully considered the record and testimony herein, is of opinion that the application should be granted.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of G. J. Creeden of Orlando, Florida, for extension of Contract Carrier Certificate of Public Convenience and Necessity No. 450 to include the transportation of beer, ale and advertising matter for the Atlantic Company from Orlando, Florida, to Lake City and Panama City, and to transport back to Orlando from those points empty containers, be and the same is hereby **GRANTED** in accordance with the foregoing opinion.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 26th day of July, 1939.

ORDER NO. 1188,

DOCKET NO. 100-106.

IN RE: COMPLAINT AGAINST SUDDATH MOVING & STORAGE COMPANY OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Suddath Moving & Storage Company of Jacksonville, Florida, was cited by Order No. 1174 dated July 8, 1939, for violating Rule 7 of the Rules and Regulations of this Commission governing the transportation of household goods as set forth in said order. Hearing was held pursuant to said citation on July 19, 1939 at Tallahassee, Florida. The following appeared:

Leo P. Kitchen and Dan R. Schwartz represented the respondent—Suddath Moving & Storage Company.

2. The respondent was charged with hauling new store fixtures from Miami to Ocala, Florida, in violation of the rule which limits the authority of household goods carriers, such as the respondent, to the transportation of used store fixtures. An officer of the respondent testified that he did not know whether the shipment consisted of new or old store fixtures but the other testimony shows that the shipment was all new fixtures in violation of the rule. In assessing the penalties herein the Commission has given due consideration to the extenuating circumstances urged by the respondent.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the respondent is guilty as charged in said citation and penalties for such violation are hereby fixed as follows:

1. REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 88.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF A FINE OF FIFTY DOLLARS (\$50.00).

It is further ORDERED that the above penalties shall become effective September 17th, 1939 at 12:01 A. M.

It is further ORDERED that the payment of the said fine of \$50.00 by Suddath Moving & Storage Company on or before the above date will be accepted as full satisfaction of all penalties herein fixed, otherwise all penalties shall be and become effective on said date.

DONE AND ORDERED by the Railroad Commission of the State of

Florida, in session at its office in the City of Tallahassee, Florida, this 26th day of July, 1939.

CITATION

ORDER NO. 1189,

DOCKET NO. 100-111.

IN RE: COMPLAINT AGAINST JOHN E. WITHERS TRANSFER & STORAGE COMPANY OF MIAMI, FLORIDA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. John E. Withers Transfer & Storage Company of Miami was charged by Order No. 1175 dated July 8, 1939, with violating Chapter 14764, Laws of Florida, Acts of 1931, by transporting a truck load of whiskey from Miami to some point in the vicinity of Tampa or St. Petersburg without any authority from this Commission to transport such commodities between such points. Hearing was held pursuant to said order before the Commission in Tallahassee on July 19, 1939. The following appeared:

Leo P. Kitchen and Dan R. Schwartz appeared for the respondent, John E. Withers Transfer & Storage Company.

2. The respondent is authorized by its authority from this Commission to transport only household goods throughout the State and race horses between points in Dade County. The evidence shows that on the occasion described in the citation the respondent made a purported lease of one of its household moving vans which was registered with this Commission to a company engaged in the manufacture or distribution of liquors for the purpose of transporting a load of whiskey for that company. The respondent claims that the transportation was not for compensation because the vehicle was leased and was not under the control of or operated by the respondent. The evidence shows, however, that the respondent's driver operated the vehicle and that the respondent was paid a certain "rental" for the lease of the truck and that the lessee furnished the gas and oil.

3. The Commission is of opinion that this lease arrangement was merely a means of evading the requirements of the Motor Transportation Act even though it may have been an honest attempt to do so within the law. This Commission has never sanctioned arrangements whereby regulated carriers leased their regular equipment for the purpose of making a single trip hauling products of another party.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the respondent is guilty as charged in said citation and penalties for such violation are hereby fixed as follows:

1. **REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 118.**
2. **PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF A FINE OF FIFTY DOLLARS (\$50.00).**

It is further **ORDERED** that the above penalties shall become effective September 17th, 1939 at 12:01 A. M.

It is further **ORDERED** that the payment of the said fine of \$50.00 by John E. Withers Transfer & Storage Company on or before the above date will be accepted as full satisfaction of all penalties herein fixed, otherwise all penalties shall be and become effective on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 26th day of July, 1939.

ORDER NO. 1190,

DOCKET NO. 100-143.

IN RE: COMPLAINT AGAINST KENNELLY TRANSFER & STORAGE COMPANY OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Kennelly Transfer & Storage Company was cited by Order No. 1176 dated July 11, 1939, and charged with transporting a load of reels and copper wire from Ocala to Jacksonville, Florida, without having any authority from this Commission to engage in such transportation. A formal hearing was held before the Commission at Tallahassee, Florida, on July 20, 1939. The following appeared:

Leo P. Kitchen and Dan R. Schwartz represented the respondent.

2. The respondent holds Certificate of Public Convenience and Necessity No. 134 by which its transportation is limited to household goods and certain heavy machinery and goods which cannot be moved by regular common carriers as set forth in Order No. 199 dated September 4, 1930 and Order No. 1017 dated April 28, 1937. On the occasion charged

in the citation the respondent transported a load of reels and copper wire from Ocala to Jacksonville and asserted as a defense that at the time it received the order he understood that the reels and wire were out along the line of the Southern Bell Telephone & Telegraph Company and that its truck would have to follow the employees of the telephone company and load the reels and wire as the same were picked up, a service which could not have been performed by regular common carriers. The evidence showed, however, and the respondent admitted, that these materials had been placed in a warehouse by the telephone company and were picked up at a warehouse in or near Ocala. The respondent also stated that this was an emergency shipment but this Commission cannot sanction such transportation where no emergency authority is asked and where no attempt is made to determine whether regular common carriers can handle the same.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the respondent is guilty as charged in said citation and penalties for such violation are hereby fixed as follows:

1. REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 134.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF A FINE OF FIFTY DOLLARS (\$50.00).

It is further ORDERED that the above penalties shall become effective September 17, 1939 at 12:01 o'clock A. M.

It is further ORDERED that the payment of the said fine of \$50.00 by Kennelly Transfer & Storage Company on or before the above date will be accepted as full satisfaction of all penalties herein fixed, otherwise all penalties shall be and become effective on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 26th day of July, 1939.

CITATION

ORDER NO. 1191,

DOCKET NO. 100-6.

IN RE: COMPLAINT AGAINST L. & L. FREIGHT LINES, INC., OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW LIMITING THE GROSS WEIGHT OF MOTOR TRUCKS.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that L. & L. Freight Lines, Inc., of Jacksonville, Florida, has violated the law governing auto transportation companies in the particulars hereinafter set forth:

Therefore you, L. & L. Freight Lines, Inc., TAKE NOTICE that the Railroad Commission of the State of Florida charges you with violation of the law, as follows:

- (1) A wilful violation of Section 11 of Chapter 14764, Laws of Florida, Acts of 1931, as amended by Section 2 of Chapter 18026, Acts of 1937, in that you did on or about September 8, 1939, operate a motor truck consisting of a tractor and semi-trailer combination with Railroad Commission Plate No. 1410, over State Road No. 4 in Nassau County, Florida, with a gross weight of 36,400 pounds, the same being in excess of the maximum gross weight allowed by law.

And further TAKE NOTICE that the Railroad Commission of the State of Florida will be in session on October 20, 1939, at 10 o'clock A. M. at the SEMINOLE HOTEL, JACKSONVILLE, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalties should be imposed under the law.

And at said time and place you will be fully heard on said charge.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 27th day of September, 1939.

CITATION

ORDER NO. 1192,

DOCKET NO. 233.

IN RE: COMPLAINT AGAINST ACME FREIGHT LINES, INC., OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW LIMITING THE GROSS WEIGHT OF MOTOR TRUCKS.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that Acme Freight Lines, Inc., of Jacksonville, Florida, has violated the law governing auto transportation companies in the particulars hereinafter set forth:

Therefore you, ACME FREIGHT LINES, INC., TAKE NOTICE that the Railroad Commission of the State of Florida charges you with violation of the law, as follows:

- (1) Wilful violations of Section 11 of Chapter 14764, Laws of Florida, Acts of 1931, as amended by Section 2 of Chapter 18026, Acts of 1937, in that you did on the dates listed hereafter operate the tractor semi-trailer trucks with the Railroad Commission Plate numbers listed, over the State roads named, in Nassau County, Florida, with a gross weight in excess of 34,000 pounds maximum allowed by law.
 - (a) On September 6, 1939, vehicle with Commission Plate No. 1241 over State Road No. 3.
 - (b) September 8, 1939, vehicle with Commission Plate No. 1260 over State Road No. 4.
 - (c) On September 8, 1939, vehicle with Commission Plate No. 1281 over State Road No. 4.
 - (d) On September 9, 1939, vehicle with Commission Plate No. 1267, over State Road No. 4.
 - (e) On September 13, 1939, vehicle with Commission Plate No. 1241, over State Road No. 3.
 - (f) On September 13, 1939, vehicle with Commission Plate No. 1261, over State Road No. 3.

And further TAKE NOTICE that the Railroad Commission of the State of Florida will be in session on October 20, 1939, at 10 o'clock A. M. at the SEMINOLE HOTEL, JACKSONVILLE, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalties should be imposed under the law.

And at said time and place you will be fully heard on said charges.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 27th day of September, 1939.

ORDER NO. 1193,**DOCKET NO. 100-139.**

IN RE: APPLICATION OF ATLANTIC GREYHOUND CORPORATION
FOR AUTHORITY TO OPERATE OVER ALTERNATE ROUTES
NORTHWARD OUT OF JACKSONVILLE OVER FEDERAL HIGH-
WAY NO. 1.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

This applicant operates busses from Waycross, Georgia, to Jacksonville, Florida, over U. S. Highway No. 1. It appears that a new highway has been constructed between Jacksonville and a point on U. S. Highway No. 1, a few miles north of Dinsmore, and this applicant seeks authority to route certain of its schedules over the old highway through Dinsmore and certain schedules over the new highway. It appears that public convenience and necessity require service over both of these routes.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Atlantic Greyhound Corporation for authority to use alternate routes north of Jacksonville on the Waycross road be and the same is hereby **GRANTED**.

It is further **ORDERED** that this order shall take effect upon the filing by the applicant with this Commission of new schedules over these routes showing the changes herein authorized.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 18th day of October, 1939.

ORDER NO. 1194,**DOCKETS NOS. 100-143****100-135.**

IN RE: APPLICATION OF UNION BUS COMPANY AND SOUTH-
EASTERN GREYHOUND LINES FOR AUTHORITY TO USE
ALTERNATE ROUTES NORTH OF JACKSONVILLE ON THE WAY-
CROSS ROAD.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

These applicants operate busses from Waycross, Georgia, to Jacksonville, Florida, over U. S. Highway No. 1. It appears that a new highway has been constructed between Jacksonville and a point on U. S. Highway No. 1, a few miles north of Dinsmore, and these applicants seek

authority to route certain of their schedules over the old highway through Dinsmore and certain schedules over the new highway. It appears that public convenience and necessity require service over both of these routes.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Union Bus Company and Southeastern Greyhound Lines for authority to use alternate routes north of Jacksonville on the Waycross road be and the same is hereby **GRANTED**.

It is further **ORDERED** that this order shall take effect upon the filing by the applicants with this Commission of new schedules over these routes showing the changes herein authorized.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 18th day of October, 1939.

CITATION

ORDER NO. 1195,

DOCKET NO. 100-77.

IN RE: CITATION AGAINST NATIONAL CONVOY & TRUCKING COMPANY FOR FAILURE TO REPORT AND PAY MILEAGE TAXES WITHIN THE TIME REQUIRED BY LAW AND THE RULES AND REGULATIONS OF THE FLORIDA RAILROAD COMMISSION FOR THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

National Convey & Trucking Company was cited on October 18, 1939 for failure to pay its mileage taxes and file its Mileage Reports for the months of August and September, 1939, within the time required by law and the rules and regulations of this Commission. Hearing was held thereon on November 3rd, 1939 and Mr. J. R. Mathews of Jacksonville appeared for the respondent.

It appears that the respondent did fail to pay said mileage tax and make said reports within the time required and did not pay the same until after said Citation was issued.

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that National Convoy & Trucking Company is guilty as charged of having failed to pay mileage taxes and to make Mileage Reports within the time required by law and the rules and regulations of this Commission and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 122.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF \$25.00 AS A FINE.

It is further ORDERED that this Order shall take effect on November 20, 1939, and that the payment of said fine of \$25.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of October, 1939, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of November, 1939.

CITATION

ORDER NO. 1196,

DOCKET NO. 363.

IN RE: CITATION AGAINST GREAT SOUTHERN TRUCKING COMPANY FOR FAILURE TO REPORT AND PAY MILEAGE TAXES WITHIN THE TIME REQUIRED BY LAW AND THE RULES AND REGULATIONS OF THE FLORIDA RAILROAD COMMISSION FOR THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Great Southern Trucking Company was cited on October 18, 1939, for failure to pay its mileage taxes and file its Mileage Reports for the months of August and September, 1939, within the time required by law and the rules and regulations of this Commission. Hearing was held thereon on November 3rd, 1939, and Mr. J. R. Mathews of Jacksonville appeared for the respondent.

It appears that the respondent did fail to pay said mileage tax and make said reports within the time required and did not pay the same until after said Citation was issued.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Great Southern Trucking Company is guilty as charged of having failed to pay mileage taxes and to make Mileage Reports within the time required by law and the rules and regulations of this Commission and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 180.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF \$25.00 AS A FINE.

It is further ORDERED that this Order shall take effect on November 20, 1939, and that the payment of said fine of \$25.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of October, 1939, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of November, 1939.

ORDER NO. 1197,

DOCKET NO. 100-33.

IN RE: CITATION AGAINST UNIVERSITY CITY TRANSFER COMPANY FOR FAILURE TO REPORT AND PAY MILEAGE TAXES WITHIN THE TIME REQUIRED BY LAW AND THE RULES AND REGULATIONS OF THE FLORIDA RAILROAD COMMISSION FOR THE MONTHS OF JUNE, JULY, AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

University City Transfer Company was cited on October 18, 1939, for failure to pay its mileage taxes and file Mileage Reports for the months of June, July, August and September, 1939, within the time required by law and the rules and regulations of this Commission. Hearing was held thereon on November 3rd, 1939 and C. J. Gunn appeared for the respondent.

It appears that the respondent did fail to pay said mileage tax and make said reports within the time required and did not pay the same until after said Citation was issued.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that University City Transfer Company is guilty as charged of having failed to pay mileage taxes and to make Mileage Reports within the time required by law and the rules and regulations of this Commission and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 89.

2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF \$25.00 AS A FINE.

It is further ORDERED that this Order shall take effect on November 20, 1939, and that the payment of said fine of \$25.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of October, 1939, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of November, 1939.

ORDER NO. 1198,

DOCKET NO. 607.

IN RE: CITATION AGAINST SULLIVAN, LONG & HAGGERTY, LTD.,
FOR FAILURE TO REPORT AND PAY MILEAGE TAXES WITHIN
THE TIME REQUIRED BY LAW AND THE RULES AND REGULATIONS OF THE FLORIDA RAILROAD COMMISSION FOR THE
MONTHS OF MAY, JUNE, JULY, AUGUST AND SEPTEMBER,
1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Sullivan, Long & Haggerty, Ltd., was cited on October 18, 1939, for failure to pay its mileage taxes and file its Mileage Reports for the months of May, June, July, August and September, 1939, within the time required by law and the rules and regulations of this Commission. Hearing was had thereon on November 3rd, 1939, and Hamner Miller appeared for the respondent.

It appears that the respondent did fail to pay said mileage tax and make said reports within the time required and did not pay the same until after said Citation was issued.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Sullivan, Long & Haggerty, Ltd., is guilty as charged of having failed to pay mileage taxes and to make Mileage reports within the time required by law and the rules and regulations of this Commission and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF CERTIFICATE OF REGISTRATION NO. 53.

2. PAYMENT TO THE TREASURER OF THE STATE OF
FLORIDA OF \$25.00 AS A FINE.

It is further ORDERED that this Order shall take effect on November 20, 1939, and that the payment of said fine of \$25.00, and the payment of all mileage taxes, including taxes for the month of October, 1939, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of November, 1939.

ORDER NO. 1199,

DOCKET NO. 659.

IN RE: CITATION AGAINST LAWRENCE R. HORNE FOR FAILURE
TO REPORT AND PAY MILEAGE TAXES WITHIN THE TIME
REQUIRED BY LAW AND THE RULES AND REGULATIONS OF
THE FLORIDA RAILROAD COMMISSION FOR THE MONTHS OF
AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Lawrence R. Horne was cited on October 18, 1939, for failure to pay his mileage taxes and file Mileage Reports for the months of August and September, 1939, within the time required by law and the rules and regulations of this Commission. Hearing was held thereon on November 3, 1939. No one appeared for the respondent. The evidence shows that the respondent was duly notified of the hearing and received notice thereof by registered mail.

It appears that respondent did fail to pay said mileage tax and make said reports and had not paid the same on the date of the hearing.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Lawrence R. Horne is guilty as charged of having failed to pay mileage taxes and make reports within the time required by law and the rules and regulations of this Commission and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF CERTIFICATE OF REGISTRATION NO.
58.
2. PAYMENT TO THE TREASURER OF THE STATE OF
FLORIDA OF \$50.00 AS A FINE.

It is further ORDERED that this Order shall take effect on November 20, 1939, and that the payment of said fine of \$50.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of October, 1939, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of November, 1939.

ORDER NO. 1200,

DOCKET NO. 465.

IN RE: CITATION AGAINST PHILADELPHIA-DETROIT LINES FOR FAILURE TO REPORT AND PAY MILEAGE TAXES WITHIN THE TIME REQUIRED BY LAW AND THE RULES AND REGULATIONS OF THE FLORIDA RAILROAD COMMISSION FOR THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Philadelphia-Detroit Lines was cited on October 18, 1939, for failure to pay its mileage taxes and file its Mileage Reports for the months of August and September, 1939, within the time required by law and the rules and regulations of this Commission. Hearing was held thereon on November 3rd, 1939. No one appeared for the respondent. The evidence shows that the respondent was duly notified of the hearing and received notice thereof by registered mail.

It appears that respondent did fail to pay said mileage tax and make said reports and had not paid the same on the date of the hearing.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Philadelphia-Detroit Lines is guilty as charged of having failed to pay mileage taxes and make reports within the time required by law and the rules and regulations of this Commission and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF CERTIFICATE OF REGISTRATION NO. 28.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF \$50.00 AS A FINE.

It is further ORDERED that this Order shall take effect on November 20, 1939, and that the payment of said fine of \$50.00 and the pay-

ment of all mileage taxes due the State of Florida, including taxes for the month of October, 1939, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of November, 1939.

ORDER NO. 1201,

DOCKET NO. 100-5.

IN RE: CITATION AGAINST BROWN MOTOR FREIGHT LINE FOR FAILURE TO REPORT AND PAY MILEAGE TAXES WITHIN THE TIME REQUIRED BY LAW AND THE RULES AND REGULATIONS OF THE FLORIDA RAILROAD COMMISSION FOR THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Brown Motor Freight Line was cited on October 18, 1939, for failure to pay its mileage taxes and file its Mileage Reports for the months of August and September, 1939, within the time required by law and the rules and regulations of this Commission. Hearing was held thereon on November 3rd, 1939. No one appeared for the respondent. The evidence shows that the respondent was duly notified of the hearing and received notice thereof by registered mail.

It appears that the respondent did fail to pay said mileage tax and make said reports within the time required and did not pay the same until after said Citation was issued.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Brown Motor Freight Line is guilty as charged of having failed to pay mileage taxes and to make Mileage Reports within the time required by law and the rules and regulations of the Commission and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 91.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF \$50.00 AS A FINE.

It is further ORDERED that this Order shall take effect on November 20, 1939, and that the payment of said fine of \$50.00, and the payment of all mileage taxes due the State of Florida, including taxes for

the month of October, 1939, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of November, 1939.

ORDER NO. 1202,

DOCKET NO. 462.

IN RE: CITATION AGAINST SLOAN'S MOVING & STORAGE COMPANY FOR FAILURE TO REPORT AND PAY MILEAGE TAXES WITHIN THE TIME REQUIRED BY LAW AND THE RULES AND REGULATIONS OF THE FLORIDA RAILROAD COMMISSION FOR THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Sloan's Moving & Storage Company was cited on October 18, 1939, for failure to pay its mileage taxes and file its Mileage Reports for the months of August and September, 1939, within the time required by law and the rules and regulations of this Commission. Hearing was held thereon on November 3, 1939. No one appeared for the respondent. The evidence shows that the respondent was duly notified of the hearing and received notice thereof by registered mail.

It appears that the respondent did fail to pay said mileage tax and make said reports within the time required and did not pay the same until after the Citation was issued.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Sloan's Moving & Storage Company is guilty as charged of having failed to pay mileage taxes and to make Mileage Reports within the time required by law and the rules and regulations of the Commission, and has incurred penalties which penalties are filed as follows:

1. REVOCATION OF CERTIFICATE OF REGISTRATION NO. 26.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF \$50.00 AS A FINE.

It is further ORDERED that this Order shall take effect on November 20, 1939, and that the payment of said fine of \$50.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of October, 1939, will be accepted as full satisfaction of the

judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of November, 1939.

ORDER NO. 1203,

DOCKET NO. 521.

IN RE: CITATION AGAINST TOM H. BLOWERS FOR FAILURE TO REPORT AND PAY MILEAGE TAXES WITHIN THE TIME REQUIRED BY LAW AND THE RULES AND REGULATIONS OF THE FLORIDA RAILROAD COMMISSION FOR THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Tom H. Blowers was cited on October 18, 1939, for failure to pay his mileage taxes and file his Mileage Reports for the months of August and September, 1939, within the time required by law and the rules and regulations of this Commission. Hearing was held thereon on November 3, 1939. No one appeared for the respondent. The evidence shows that the respondent was duly notified of the hearing and received notice thereof by registered mail.

It appears that the respondent did fail to make said reports and pay said mileage tax within the time required and did not pay the same until after the Citation was issued.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Tom H. Blowers is guilty as charged of having failed to pay mileage taxes and make Mileage Reports within the time required by law and the rules and regulations of the Commission and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF PERMIT NO. 401.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF \$50.00 AS A FINE.

It is further ORDERED that this Order shall take effect on November 20, 1939, and that the payment of said fine of \$50.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of October, 1939, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced on said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of November, 1939.

ORDER NO. 1204,

DOCKET NO. 446.

IN RE: CITATION AGAINST FORT MYERS TRANSIT COMPANY FOR FAILURE TO MAKE REPORTS AND PAY MILEAGE TAXES WITHIN THE TIME REQUIRED BY LAW AND THE RULES AND REGULATIONS OF THE FLORIDA RAILROAD COMMISSION FOR THE MONTHS OF MAY, JUNE, JULY AND AUGUST, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Fort Myers Eransit Company was cited on October 18, 1939 for failure to pay mileage taxes due on its operations for the months of May, June, July and August, 1939, and for failure to file the Mileage Reports with this Commission for said months, all as required by law and the rules of this Commission. Hearing was held on said citation on November 3, 1939, and Jerry Diefenderfer appeared for the respondent.

It appears that the respondent has not paid the mileage taxes for the months named above but for good cause shown no penalties will be assessed against the respondent provided the tax is paid on or before November 21, 1939.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the aforesaid Citation against Fort Myers Transit Company be and the same is hereby DISMISSED as of November 21, 1939, provided all mileage tax due the State of Florida be paid up to and including said date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3rd day of November, 1939.

ORDER NO. 1205,

DOCKET NO. 572.

IN RE: APPLICATION OF GATOR MOTOR LINES, INC., FOR AN EXTENSION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING OPERATION OVER STATE ROAD NO. 28 BETWEEN LAKE CITY, STARKE AND KEYSTONE HEIGHTS.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 626 dated October 28, 1939, this matter came on for formal hearing before the Railroad Commission of the State of Florida at a hearing held at the Roosevelt Hotel, Jacksonville, Florida, on November 14th, 1939.

Mrs. Hazel Bell appeared for the applicant.

2. The applicant under its present Certificate operates between Cedar Keys and St. Augustine over State Roads Nos. 13 and 14 via Bronson, Gainesville, Hawthorne, Palatka and Hastings and between Palatka and Gainesville over State Roads Nos. 28, 80 and 267 via Baywood, Grandin, Keystone Heights, Melrose and Orange Heights.

3. By its present application it desires an extension of its operating authority to cover an operation in common carriage by motor bus of passengers, baggage and light express over State Road No. 28 between Lake City, Starke and Keystone Heights.

4. The testimony and record shows that the Gator Motor Lines, Inc., in its present operation makes connection with the North and Southbound schedules of Florida Motor Lines Corporation at St. Augustine, Palatka, Gainesville, Archer and Bronson. An extension of its operation over State Road 28 between Palatka and Keystone Heights to Starke and Lake City will furnish closer and better connection with Florida Motor Lines Corporation at Starke for passengers traveling North and South than the connection which is now being furnished at Gainesville. The granting of this application will also substantially shorten the mileage involved and will furnish the public the terminal facilities and rest periods provided at Starke.

5. The Commission has carefully considered the record and evidence in this case and finds that there is no Motor Bus Service in Common Carriage now being conducted between Keystone Heights, Starke and Lake City, and that the operation proposed by the applicant, which will furnish direct carriage between Palatka and Lake City, is required in the public interest and that said service will not adversely affect transportation in the territory involved.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Gator Motor Lines, Inc., for an extension of its Certificate authorizing transportation of passengers, baggage and light express between Lake City, Starke and Keystone Heights over State Road No. 28 be and the same is hereby **APPROVED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

CITATION

ORDER NO. 1206,

DOCKET NO. 233.

IN RE: COMPLAINT AGAINST ACME FREIGHT LINES, INC., OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW LIMITING THE GROSS WEIGHT OF MOTOR TRUCKS.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Order No. 1192 dated September 27, 1939, this matter came on for hearing before the Railroad Commission of the State of Florida at the Seminole Hotel, Jacksonville, Florida, on October 20, 1939 at 10 o'clock A. M.

George Coulter appeared for Acme freight Lines, Inc.

2. Acme Freight Lines, Inc., was charged with violations of the law as contained in said Order No. 1192 as follows:

- “(a) On September 6, 1939 vehicle with Commission Plate No. 1241 over State Road No. 3.
- (b) September 8, 1939 vehicle with Commission Plate No. 1260 over State Road No. 4.
- (c) On September 8, 1939, vehicle with Commission Plate No. 1281 over State Road No. 4.
- (d) On September 9, 1939, vehicle with Commission Plate No. 1267, over State Road No. 4.
- (e) On September 13, 1939, vehicle with Commission Plate No. 1241, over State Road No. 3.
- (f) On September 13, 1939, vehicle with Commission Plate No. 1261, over State Road No. 3.”

3. It appears from the testimony of the Weight Inspector of the Weight Division of the State Road Department, that Acme Freight Lines, Inc., operated motor vehicles described in each count of the above mentioned Citation on the days named therein with a gross load in excess of 34,000 pounds over the highways of the State of Florida. That in each instance each of the motor vehicles were actually weighed by the State Weight Inspector and found to exceed the gross weight of 34,000 pounds. That in some of the cases where the gross weight exceeded 34,000 pounds by more than 5% or 1700 pounds, a case against Acme Freight Lines, Inc., was instituted in the Courts. In the other instances no cases were made but the drivers were warned against further violations of the law.

4. As a matter of defense, witnesses for Acme Freight Lines, Inc., presented evidence as to the weight of their tractors and semi-trailers, and also the manifests of the laden loaded upon such motor vehicles to show that the weight of the motor vehicles together with the manifest weights did not exceed the gross load permitted by law. It appeared upon examination that the weights as shown on the manifests were shipper weights and witnesses for the respondent were unable to testify as to whether those weights were accurate or not. Further testimony was given to show that the loaded vehicle was never weighed before it left the terminal of the Acme Freight Lines, Inc., and that it was impractical without delay and additional help to weigh each package making up the total lading. Testimony was also offered to show that it is the general practice of all auto transportation companies to accept shippers' weights in making up the manifests.

5. The Commission has considered the evidence in this case, and while there are certain mitigating circumstances connected with the case which it has taken into consideration, it is still of the opinion that the respondent, Acme Freight Lines, Inc., is guilty of violations of the law and the rules and regulations of the Railroad Commission as charged.

Wherefore the Railroad Commission of the State of Florida finds the respondent, Acme Freight Lines, Inc., guilty as charged and penalties for such violations are fixed as follows:

1. REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 185.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF A FINE OF \$100.00.

It is further ORDERED that the payment by the said Acme Freight Lines, Inc., of the said fine of \$100.00 on or before December 11, 1939, will be accepted as full satisfaction of all penalties herein fixed, otherwise said penalties shall be and become effective as of said December 11, 1939.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

CITATION

ORDER NO. 1207,

DOCKET NO. 100-6.

IN RE: COMPLAINT AGAINST L. & L. FREIGHT LINES, INC., OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW LIMITING THE GROSS WEIGHT OF MOTOR TRUCKS.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Order No. 1191 dated September 27, 1939, this Citation came on to be heard by the Railroad Commission at the Seminole Hotel, Jacksonville, Florida, on October 19, 1939.

McCarthy Crenshaw appeared for L. & L. Freight Lines, Inc.

2. It appears from the testimony in this case that L. & L. Freight Lines, Inc., was charged with operating a tractor and semi-trailer combination over State Road No. 4 in Nassau County, Florida, with a gross weight in excess of 34,000 pounds, and that it did actually on September 8, 1939 operate its motor truck consisting of a tractor and semi-trailer combination with a shipment of oil in drums, cases and casks with a gross load of 36,400 pounds. It further appeared, however, that the company received one shipment of 22,000 pounds from one oil company. That the shipment consisted of 141 packages; that the company did not reweigh the packages but accepted the shipper's weight and that of the total of 141 packages 106 were placed on the truck in question and the other packages were shipped on a truck following one hour later. That there was only 24,815 pounds gross load on the second truck so that it could have carried the excess that was placed on the first truck and still not have been overloaded. The testimony further shows that it is the custom of the Inspector for the State Road Department to allow a 5% excess weight on a truck, that is to say 1700 pounds, and not report it nor make a case against such motor vehicle. The Inspector for the State Road Department further testified that this was the first violation he had found on the part of the L. & L. Freight Lines, Inc., within the past year.

The Commission has carefully considered the evidence in this case and while it is of the opinion that there has been a technical violation of the law there are mitigating circumstances connected with this case which indicate that the L. & L. Freight Lines, Inc., violated the law through error and that there had been no wilful violation of the law on its part.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the Citation as con-

tained in Order No. 1191, dated September 27, 1939, be and the same is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

ORDER NO. 1208,

DOCKET NO. 677.

IN RE: APPLICATION OF A. D. COSSON OF DEFUNIAK SPRINGS, FLORIDA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A COMMON CARRIER OF PASSENGERS FROM FLORALA, ALABAMA, TO DEFUNIAK SPRINGS, FLORIDA, AND THENCE TO FREEPORT, POINT WASHINGTON AND GRAYTON BEACH, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 622 dated September 27, 1939, this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on October 23, 1939.

Thos. D. Beasley appeared for the applicant.

There were no protestants.

2. A. D. Cosson of DeFuniak Springs has applied for a Certificate of Public Convenience and Necessity to transport passengers from Florala, Alabama, to Grayton Beach in the southern part of Walton County, serving DeFuniak Springs, Freeport and Point Washington using Highway No. 40 from the Florida-Alabama line to a point on Road No. 1, U. S. No. 90, thence into DeFuniak Springs; thence over Highway No. 40 to Freeport on Road No. 10; thence to Point Washington and thence to Grayton Beach. The applicant also proposes to operate from Florala, Alabama, to the Florida line which will make the total operation one in interstate commerce. The applicant has filed his application with the Interstate Commerce Commission but no hearing has yet been had on his application. The main purpose of the application is to serve Grayton Beach which is a summer resort, and the applicant desires to accommodate the people from Alabama and the communities through which he proposes to operate who desire to go to the beaches. The evidence shows that there is no other mode of transportation serving this particular territory except over one and one-half miles of Highway on No. 1, between DeFuniak Springs and the point where Highway No. 40 intersects Highway No. 1, and also the St. Andrews Bay Transporta-

tion Company which operates from Panama City to Pensacola and serving Freeport.

3. The Commission has considered this application and has determined to grant the same with the understanding that schedules should be worked out and filed with the Secretary of the Commission, and that all other requirements of the law and the rules of the Commission shall be complied with before Certificate is issued.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of A. D. Cosson for a Certificate of Public Convenience and Necessity as a Common Carrier of passengers from Florala, Alabama, to DeFuniak Springs, Florida, and thence to Freeport and thence to Grayton Beach over Highways Nos. 40, U. S. 90, State Road No. 10 and County Roads, be and the same is hereby APPROVED when the schedules and all other requirements of the law shall have been complied with.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 14th day of November, 1939.

ORDER NO. 1209,

DOCKET NO. 682.

IN RE: APPLICATION OF E. K. AVRIETT DOING BUSINESS AS SUWANNEE RIVER BUS LINE OF HOMERVILLE, GEORGIA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A COMMON CARRIER OF PASSENGERS, LIGHT EXPRESS, NEWSPAPERS, BAGGAGE AND UNITED STATES MAIL FROM LAKE CITY, FLORIDA, TO McRAE, GEORGIA, VIA FARGO, HOMERVILLE, PEARSON AND DOUGLAS, GEORGIA, OVER FLORIDA HIGHWAY NO. 82 AND GEORGIA HIGHWAYS NOS. 89 AND 31.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 623 dated September 27, 1939, this matter came on for formal hearing at the Seminole Hotel, Jacksonville, Florida, on October 19, 1939.

H. C. Morgan appeared for applicant.

No one appeared as protestants.

2. The applicant has authority from the Interstate Commerce Commission to operate over this route interstate and now desires authority from this Commission to transport passengers, mail, light express, news-

papers and baggage intrastate over the highways mentioned in the State of Florida. The applicant has been operating since October 1, 1939 and has complied with all of the law and requirements of the Interstate Commerce Commission and the Georgia Public Service Commission and has received from this Commission a Certificate of Registration. The applicant is operating a twenty passenger flexible bus and operates a schedule leaving Lake City at 7:00 in the morning and returning at 4:20 in the afternoon serving Benton, Fargo, Midway, Homerville, Pearson, Douglas, Jacksonville, Georgia, and McRae, Georgia. Lake City is the southern and McRae the northern terminus of the route.

3. The Commission having considered all of the evidence in this case and finding the applicant financially able to carry on his operation and that he possesses interstate rights over this route, is of opinion that public convenience and necessity require the granting of this application.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of E. K. Avriett, doing business as Suwannee River Bus Line, to operate intrastate transporting passengers, light express, newspapers, baggage and United States Mail between Lake City, Florida, and McRae, Georgia, using Florida Highway No. 82, be and the same is hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 14th day of November, 1939.

ORDER NO. 1210,

DOCKET NO. 604.

IN RE: APPLICATION OF JOHN GOETHE LANE OF JACKSONVILLE, FLORIDA, FOR EXTENSION OF CONTRACT CARRIER CERTIFICATE NO. 215 TO INCLUDE THE TRANSPORTATION OF BAKERY PRODUCTS FOR THE AMERICAN BAKERIES COMPANY AND COLUMBIA BAKING COMPANY, DOING BUSINESS AS SEYBOLD BAKING COMPANY.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing before the Railroad Commission of the State of Florida at the Roosevelt Hotel, Jacksonville, Florida, on November 14, 1939, pursuant to Notice No. 627 and Supplement No. 1 to Notice No. 627. The following appeared:

Clifford T. Inglis of Jacksonville for the applicant.

McCarthy Crenshaw of Jacksonville for L. & L. Freight Lines, Inc.; T. B. Smith of Tampa for Central Truck Lines, Inc., and J. R. Hunter of Tallahassee for Railway Express Agency, Inc.

2. The applicant by Order No. 1134 dated January 18, 1939, was granted Contract Carrier Certificate No. 215 authorizing him to transport bakery products for the Ward Baking Company of Jacksonville between Jacksonville and Daytona Beach, DeLand, Sanford, Orlando, Lakeland, Auburndale and Kissimmee. This application seeks to extend this authority to include hauling bakery products under contract with both the American Bakeries Company and the Columbia Baking Company from Jacksonville to Orlando, Ocala, and Leesburg so as to give these companies the same service now being rendered Ward Baking Company.

3. This traffic is now being moved via Railway Express Agency but the testimony shows that the present service, leaving Jacksonville late in the evening, arrives at the central Florida cities too late the following morning to insure delivery by the baking companies' distributing system in time to meet the demands of the trade. The applicant's truck would leave Jacksonville around 7:00 P. M. and delivery will be made in Orlando before midnight and in Leesburg and Ocala not long thereafter. The rates to be paid, as set forth in the contracts, are more than have heretofore been paid to the Express Company. It appears from the testimony that the baking companies need this expedited service in their business and that the same is in the public interest.

WHEREFORE, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of John Goethe Lane for an extension of his Contract Carrier Certificate No. 215, to include the hauling at the rates set forth in his contracts of the bakery products of American Bakeries Company and Columbia Baking Company, doing business as Seybold Baking Company, from Jacksonville, Florida, to Orlando, Leesburg, Ocala and back to Jacksonville via State Highways Nos. 3, 2, 31, 13 and 1, be and the same is hereby GRANTED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

ORDER NO. 1211.

DOCKET NO. 680.

IN RE: APPLICATION OF J. H. SHIPE, DOING BUSINESS AS J. H. SHIPE TRUCKING COMPANY OF WINTER HAVEN, FLORIDA, FOR A CONTRACT CARRIER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO HAUL CANNING PLANT PRODUCTS AND SUPPLIES BETWEEN TAMPA AND PORT TAMPA AND WINTER HAVEN, HAINES CITY AND LAKE ALFRED FOR ROBERTS BROTHERS, INC., BORDO PRODUCTS COMPANY AND SUN DINE COMPANY, INC.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing before the Railroad Commission of the State of Florida at the Roosevelt Hotel, Jacksonville, Florida, on November 14, 1939, pursuant to Notice No. 627. The following appeared:

Leo P. Kitchen and Dan R. Schwartz of Jacksonville, Florida, for the applicant.

T. B. Smith of Tampa for Central Truck Lines, Inc.; E. C. Griffith of Winter Haven for Hunt Truck Line.

2. The applicant is engaged in the business of hauling the products of certain canning plants in the Winter Haven area from the plants to rail and water shipping points, a haul that is exempt from the jurisdiction of this Commission. In connection with this business the applicant desires on his back haul from Tampa to haul certain canning plant supplies that are not exempt, such as labels, sugar, crates, empty cans, barrels, boxes, adhesives, and alkalies used in the canning process. In order to be able to haul these products along with the exempt canned goods applicant has applied to place his entire operation under the jurisdiction of this Commission.

3. The applicant operates twelve trucks and during the canning season keeps most of them busy distributing the output of the canning plants named. The tonnage moved is considerable, and it appears that the services of a contract carrier are needed in order to adequately serve these canning plants. The Commission finds that this service is needed and that the applicant is willing and able to perform it and that the same will be in the public interest.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of J. H. Shipe, doing business as J. H. Shipe Trucking Company of Winter Haven, Florida, for a Contract Carrier Certificate of Public Convenience

and Necessity to transport canning plant products and supplies under contract with Roberts Brothers, Inc., Bordo Products Company and Sun Dine Company, Inc., at the rates set forth in the contracts attached to the application between Tampa and Port Tampa and Winter Haven, Haines City and Lake Alfred be and the same is hereby GRANTED, as to intrastate commerce only.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

ORDER NO. 1212,

DOCKET NO. 100-1.

IN RE: APPLICATION OF CENTRAL TRUCK LINES, INC., OF TAMPA, FLORIDA, FOR APPROVAL OF A NEW SEASONAL OPERATING SCHEDULE BETWEEN JACKSONVILLE AND TAMPA VIA OCALA, DUNNELLON AND BROOKSVILLE, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing before the Railroad Commission of the State of Florida at the Floridan Hotel, Tampa, Florida, on October 12, 1939, pursuant to Notice No. 621. The following appeared:

Sidney Allen and T. B. Smith of Tampa, for applicant.

Dan Kelly, Jr., of Fernandina and C. E. Edwards of Jacksonville for Receivers of Seaboard Air Line Railway Company.

2. At this hearing the applicant put in its testimony and agreed to restrict the new schedule to a seasonal one operating only from October 15th to May 15th, and further agreed to restrict it so that only interstate traffic would be moved Southbound out of Jacksonville to points between Jacksonville and Ocala, including Ocala.

3. Whereupon the Receivers of Seaboard Air Line Railway objected to further consideration of the application on the ground that they had not received sufficient notice that the application would be so restricted.

4. Upon formal motion by the receivers of the Seaboard Air Line for a further hearing the application was again set down under Notice No. 627 and heard at the Roosevelt Hotel, Jacksonville, Florida, on November 14, 1939.

5. The new schedule sought leaves Jacksonville at 8:00 A. M. arriving in Tampa at 3:30 P. M. Northbound it leaves Tampa at 9:00 P. M. arriving in Jacksonville at 6:00 A. M. and this Northbound portion is identical with the applicant's present Schedule No. 1 of Time Table No. 4. The additional schedule is desired to expedite Southbound interstate traffic moving out of Atlanta into Central Florida territory and to enable the applicant to more efficiently handle this traffic. The Commission is of opinion that the granting of this additional schedule will be in the public interest and enable the applicant to perform more efficiently its duties as a common carrier and that the same should be granted with the restrictions agreed to above.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Central Truck Lines, Inc., of Tampa, Florida, for a new seasonal operating Schedule No. 21, between Jacksonville and Tampa via Ocala, Dunnellon and Brooksville, be and the same is hereby **GRANTED**.

It is further **ORDERED** that this order shall become effective upon the filing by the applicant with the Commission ten copies of the new schedule incorporating the restrictions agreed to as set forth above.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

ORDER NO. 1213,

DOCKETS NOS. 100-115 — 100-25.
100-1 — 100-1.

IN RE: APPLICATION OF L. E. JOHNSON, DOING BUSINESS AS TARPON TRUCK LINE, AND CENTRAL TRUCK LINES, INC., A FLORIDA CORPORATION, FOR APPROVAL OF TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 148, AND ALL RIGHTS THEREUNDER, FROM L. E. JOHNSON, DOING BUSINESS AS TARPON TRUCK LINE TO CENTRAL TRUCK LINES, INC., A FLORIDA CORPORATION.

* * * *

IN RE: APPLICATION OF C. A. WALTERS, DOING BUSINESS AS WALTERS TRUCK LINE AND CENTRAL TRUCK LINES, INC., A FLORIDA CORPORATION, FOR APPROVAL OF TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 33, AND ALL RIGHTS THEREUNDER, FROM C. A. WALTERS, DOING BUSINESS AS WALTERS TRUCK LINE TO CENTRAL TRUCK LINES, INC., A FLORIDA CORPORATION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. The above applications came on for formal hearing before the Railroad Commission of the State of Florida in the Floridan Hotel, Tampa, Florida, on October 12, 1939, and by order of the Commission were consolidated and heard together. The following appeared:

John M. Allison and Sidney Allen of Tampa for the joint applicants.

Dan Kelly, Jr., of Fernandina for Receivers of Seaboard Air Line Railway; John A. Bliss of Jacksonville for the St. Johns River Line Company.

2. Central Truck Lines, Inc., of Tampa, Florida, by these two applications seeks approval of its purchase of all of the operating rights of the Tarpon Truck Line and Walters Truck Line. Central Truck Lines, Inc., holds Certificate of Public Convenience and Necessity No. 56 authorizing the transportation of general commodities as a common carrier between various points in the States of Florida and Georgia, including service between Tampa and St. Petersburg over the Gandy Bridge, and between Tampa and Brooksville over State Road No. 5, and between St. Petersburg, Clearwater, Tarpon Springs, New Port Richey and Brooksville over Federal Highway No. 19 and State Highway No. 15.

3. The Tarpon Truck Line holds Certificate of Public Convenience and Necessity No. 148, authorizing the transportation of general commodities as a common carrier between Tampa and Tarpon Springs via Tampa Shores, Palm Harbor and Wall Springs. This Certificate was issued originally to Perry Truck Line by Order No. 171, dated July 31, 1930 and thereafter by Order No. 520, dated October 7, 1932 was transferred to Tarpon Truck Line.

4. The Walters Truck Line holds Certificate of Public Convenience and Necessity No. 33 authorizing the transportation of general commodities as a common carrier between Tampa and New Port Richey via Citrus Park, Odessa and Elfers. This was a "Grandfather" Certificate issued under Order No. 34 dated August 8, 1929.

5. Central Truck Lines, Inc., has agreed to operate the existing schedules of the two lines being purchased, and to at least fully perform the service now being rendered by these lines. Since Central Truck Lines, Inc., is already serving the terminal points of these two lines the Commission is of opinion that transportation in the territory involved will be improved by the merger of these two Certificates into the larger Certificate, and that the transfers will be in the public interest. The Certificates of the Tarpon Truck Line and Walters Truck Line will become extinct and Central Truck Lines' Certificate No. 56 will be extended to include the service now being performed by the two lines acquired.

6. Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida, that the joint applications of Central Truck Lines, Inc., and L. E. Johnson, doing business as Tarpon Truck Line, and of Central Truck Lines, Inc., and C. A. Walters, doing business as Walters Truck Line, for approval of the transfer of the Certificates and operating rights of the Tarpon Truck Line and the Walters Truck Line to Central Truck Lines, Inc., be and the same is hereby **GRANTED**.

It is further **ORDERED** that this order shall become effective upon the filing and approval by this Commission of the additional operating schedules of Central Truck Lines, Inc., which will include the existing schedules and service of the Tarpon Truck Line and Walters Truck Line.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

ORDER NO. 1214.

DOCKET NO. 681.

IN RE: APPLICATION OF MOTOR TRANSIT COMPANY, A CORPORATION, OF JACKSONVILLE, FLORIDA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A COMMON CARRIER OF PASSENGERS AND LIGHT EXPRESS FROM THE CITY OF JACKSONVILLE, FLORIDA, TO THE UNITED STATES NAVAL BASE AREA AND RETURN.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

Pursuant to Notice No. 626 dated October 28, 1939, hearing on this matter was had before the Commission at the Roosevelt Hotel, Jacksonville, Florida, on November 14, 1939, but no formal order has been entered in this proceeding.

I

This matter now comes on for further consideration upon petition of Ortega Company, a corporation, with its principal place of business in Jacksonville, Duval County, Florida, for leave to intervene in this proceeding on its own behalf and as representative of the public residing in Ortega, Ortega Terrace and Venetia, and it alleged that it has an interest in this proceeding and is the owner and developer of the subdivisions adjoining Jacksonville on the South along State Highway No. 3, Federal Highway No. 17, and the Commission being of opinion that the applicant has an interest in the matters in controversy in the above entitled proceeding, it is herefore **ORDERED** that the petition

of Ortega Company for leave to intervene and be treated as a party hereto, with a right to have notice of and appear at the taking of testimony, produce and cross examine witnesses and be heard in person or by counsel, be and the same is hereby GRANTED.

II

Intervener, Ortega Company, further petitions this Commission that this proceeding be reopened and further hearing be had thereon upon its contention that the area involved in this proceeding is in fact "adjoining suburban territory" to the city of Jacksonville and comes within the provisions of Section 30 of Chapter 14764, Acts of 1931, as amended by Section 1 of Chapter 17115, Acts of 1935; by Section 1 of Chapter 18028, Acts of 1937 and by Section 1 of Chapter 18029, Acts of 1937, and that motor vehicles operating in such territory are exempt from Commission jurisdiction and control.

The Commission has carefully considered this petition and the facts alleged therein, and is of opinion that it is to the interest of the public living in this territory to reopen this proceeding and give them an opportunity to be fully heard.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that this proceeding be and the same is hereby reopened and is hereby set down for further hearing at the Hearing Room of the Railroad Commission, SUPREME COURT BUILDING, Tallahassee, Florida, on Tuesday, December 19, 1939, at 10 o'clock A. M. on the question of jurisdiction of the Commission, and such other matters as may properly come before it involving this proceeding.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of November, 1939.

ORDER NO. 1215,

DOCKET NO. 100-121.

IN RE: APPLICATION OF FLORIDA MOTOR LINES CORPORATION FOR AN EXTENSION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 8, TO INCLUDE COMMON CARRIAGE BY MOTOR BUS OVER STATE ROAD NO. 31 BETWEEN WALDO AND Ocala VIA ORANGE HEIGHTS, CAMPVILLE, HAWTHORNE, ISLAND GROVE, CITRA, SPARR AND ANTHONY.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 626 dated October 28, 1939, this matter came on for formal hearing before the Railroad Commission of the State of Florida at the Roosevelt Hotel, Jacksonville, Florida, on Monday, November 13, 1939, at 10 o'clock A. M.

A. Y. Milam and Donald K. Carroll appeared for the applicant.

Stanton Walker appeared for Camp and Keystone Lines.

2. The applicant, Florida Motor Lines Corporation seeks authority to operate over State Road No. 31, between Ocala and Waldo serving the towns of Orange Heights, Campville, Hawthorne, Island Grove, Citra, Sparr and Anthony giving daily North and Southbound service to each of these communities. The applicant serves this general territory operating between Waldo and Gainesville over Road No. 13, and thence to Ocala over State Highway No. 2, via Micanopy, McIntosh and Reddick. During the time when the State Road Department was rebuilding Road No. 13, from the Bradford-Alachua line to Waldo, the applicant served Orange Heights in this territory. The applicant now operates between Jacksonville, Tampa and St. Petersburg, and also from Ocala into Jacksonville over State Roads Nos. 2 and 13 via Gainesville. It also operates from Tampa into Jacksonville serving Lakeland, Orlando, DeLand, Sanford, Green Cove Springs and Orange Park. In addition, it has an operation from Starke into Perry via Lake Butler, Providence, Fort White and Mayo, and also operates from Gainesville to Old Town via Archer and Newberry with the terminus at Tallahassee, Florida. It also operates through carriage from Lake City to Gainesville, Ocala, Orlando, to Indian River City, thence to Miami and the lower East Coast. Thus it is that the route it now proposes lies within the territory now served by the applicant.

3. The applicant proposes both a local schedule leaving Ocala in the morning and serving the proposed territory to handle local passengers into Jacksonville in order to give them an opportunity to spend the day in Jacksonville and transact such business as they may desire; and also proposes that one of its through schedules between Jacksonville, Tampa and St. Petersburg would make stops at these various points—thus giving a through schedule between Jacksonville, Tampa and St. Petersburg. The testimony indicates that the proposed route is shorter than the present Gainesville-Micanopy route by about eight miles but the applicant does not propose to curtail any service on its present route. The applicant produced a number of witnesses from all of the territory involved in this application all of whom testified that the applicant had given efficient service in the territory and that the granting of the

present application would be of much benefit to these various communities.

4. The Railroad Commission has considered all of the evidence introduced in this proceeding and is of opinion that public convenience and necessity will be served by the granting of this application.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Florida Motor Lines Corporation for an extension of its Certificate of Public Convenience and Necessity No. 8 to include service over State Road No. 31 between Waldo and Ocala via Orange Heights, Campville, Hawthorne, Island Grove, Citra, Sparr and Anthony, and all intermediate points, be and the same is hereby **GRANTED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

ORDER NO. 1216,

DOCKET NO. 471.

IN RE: PETITION OF WEST FLORIDA TRANSPORTATION COMPANY FOR AUTHORITY TO ABANDON THAT PART OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 211, AUTHORIZING THE TRANSPORTATION OF FREIGHT BY MOTOR TRUCK.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This matter came on for consideration upon the petition of West Florida Transportation Company, a corporation, for authority to abandon that part of its operation requiring the transportation of freight, and it appearing that by Order No. 1141, dated April 1, 1939, the applicant acquired Certificate No. 211, by transfer from the Receiver for the Alabama & Western Florida Railroad Company, and that said Certificate of Public Convenience and Necessity No. 211, authorized the transportation of passengers, mail, express and freight over State Highway No. 52, between Panama City, Florida, and the Alabama-Florida State line; and it further appearing that petitioner is not equipped for operating in freight service without a heavy loss, and in fact cannot operate heavy trucks over and along said highway, and that the stockholders of the corporation have authorized the filing of this application to request the Commission to authorize abandonment of said freight service, and the Commission finding that the same is in the interest of the public:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the authority heretofore granted by Certificate of Public Convenience and Necessity No. 211, to transport freight over Highway No. 52 between Panama City, Florida, and Alabama-Florida State line, be and the same is hereby **CANCELED** and **REVOKED**, and West Florida Transportation Company is hereby authorized to abandon and cease its freight service over said route.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

ORDER NO. 1217,

DOCKET NO. 181.

IN RE: APPLICATION OF RAILWAY EXPRESS AGENCY, INC., OF JACKSONVILLE, FLORIDA, ON REHEARING UNDER ORDER NO. 1106 DATED JANUARY 6, 1939, FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A LIMITING COMMON CARRIER TRANSPORTING RACE HORSES, SADDLE HORSES AND POLO PONIES BETWEEN TROPICAL PARK RACE TRACK AND HIALEAH PARK RACE TRACK AND HOLLYWOOD RACE TRACK AND THE RIDING ACADEMY AND DEPOTS AND PLATFORMS OF THE RAIL CARRIERS IN AND ADJACENT TO MIAMI, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 605 dated January 9, 1939, this matter came on for hearing before the Railroad Commission at the Court House in Miami, Florida, on January 25, 1939 at 10 o'clock A. M.

Blair Foster of Atlanta, Georgia, appeared for the applicant.

Wm. J. Pruitt for applicant P. T. Malone.

Leo P. Kitchen and Dan R. Schwartz appeared for the protestants, John E. Withers Transfer & Storage Company and Leonard Brothers Transfer & Storage Company of Miami, Florida.

2. By Order No. 1097, dated September 23, 1938, this application was denied. On January 6, 1939 the applicant filed its petition for a reopening and rehearing of this matter on the ground that it had additional and further evidence to present that it was unable to produce at the former hearing. This petition was granted by Order No. 1106 dated January 6, 1939, and this rehearing is under said order.

3. The matter of the transportation of race horses between the tracks in Miami, Florida, has been before this Commission several times. By Order No. 1000, dated March 10, 1937, this Commission held that the transportation of race horses between the tracks in and adjacent to Miami, Florida, using the highways proposed to be used in this application, is transportation in common carriage and those engaged in such transportation were declared to be limited common carriers.

4. At this session of the Commission there was another application to transport race horses filed by P. T. Malone operating under the firm name of Malone Horse Pullman Service, and an agreement was reached between the parties that the testimony taken in each case, insofar as it is applicable, be considered in both cases.

5. This case was heard in Miami during the racing season to give the applicants an opportunity to present testimony of that part of the public vitally interested in this kind of transportation. The applicant placed on the stand nine witnesses most of whom were trainers of race horses and had direct charge of horses that were being raced at either one or the other of the tracks involved in this hearing. There were five other witnesses at the morning session who were unable to be present during the afternoon on account of the races, and it was agreed between the parties that these five witnesses, whose names were read into the record, would testify to the same facts as those witnesses who were heard.

6. The evidence produced indicated that there was a desire on the part of these witnesses for additional van service to transport the race horses to and from the race tracks; that race horses are very nervous, require special and careful handling, and should be transported to the track at which they are to race as late as possible before the race and returned to their stables as early as they could be cooled off after the race. Testimony was also given that the vans now being used by those authorized to perform this service were not quite as good as the van offered by the applicant, and that the trainers and race horse owners were fearful of injury to their horses through the use of these vans. No testimony was given, however, as to any accident that had ever occurred and each of the witnesses agreed that their horses had always reached the track in good condition in time for the races. The protestants testified that they had adequate equipment and were performing adequate service, and were ready and willing upon direction of the Commission to provide whatever vans and service were necessary to carry out their obligations to transport safely these race horses. They further testified that the revenue from this transportation was not great and that if it is divided among four carriers their revenue would be greatly curtailed and the operation would not be profitable.

7. The Commission has carefully considered the evidence presented in this case, and while it is apparent that the witnesses who testified

prefer the service of this applicant and of Mr. Malone to the present service being afforded by the protestants, it is evident that it is their desire to have as much transportation as it is possible to have in order that they may have a van at their disposal whenever they see fit to use it, and they gave no specific instances of inadequacy of service on the part of the protestants. The Commission having determined at a former hearing that this operation is one in common carriage and public convenience and necessity must be shown and inadequacy of transportation facilities in the territory must also be evidenced, it is now of the opinion that this burden has not been met by the applicant, and is further of the opinion that the granting of this application would seriously affect the revenues of those now engaged in this service, and for this reason the application should be denied.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of **RAILWAY EXPRESS AGENCY, INC.**, of Jacksonville, Florida, for a Certificate of Public Convenience and Necessity as a limited common carrier transporting race horses, saddle horses and polo ponies between Tropical Park Race Track and Hialeah Park Race Track and Hollywood Race Track and the Riding Academy, and also between these points and the depots and platforms of rail lines serving these locations, be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 5th day of December, 1939.

COMMISSIONER DOUGLASS DISSENTS ON THE GROUND THAT IN HIS OPINION THERE IS SUFFICIENT SHOWING OF PUBLIC CONVENIENCE AND NECESSITY AND THE APPLICATION SHOULD BE GRANTED.

ORDER NO. 1218,

DOCKET NO. 349.

IN RE: APPLICATION OF P. T. MALONE HORSE PULLMAN SERVICE OF CORAL GABLES, FLORIDA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A LIMITED COMMON CARRIER TRAPORTING RACE HORSES FROM HIALEAH, FLORIDA, VIA PALM AVENUE TO RED ROAD SOUTH, THENCE WEST VIA BIRD ROAD TO TROPICAL PARK RACE TRACK AND RETURN AND FROM BOTH OF SAID HORSE RACE TRACKS IN DADE COUNTY TO HOLLYWOOD RACE TRACK, HOLLYWOOD, FLORIDA, OVER FEDERAL HIGHWAY NO. 1.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 605 dated January 9, 1939, this matter came on for hearing before the Railroad Commission of the State of Florida at the Court House, Miami, Florida, on January 26, 1939.

Wm. J. Pruitt of Miami appeared for the applicant.

Blair Foster appeared for Railway Express Agency, Inc.

Leo P. Kitchen and Dan R. Schwartz for protestants, John E. Withers Transfer & Storage Company and Leonard Brothers Transfer & Storage Company of Miami, Florida.

2. The matter of the transportation of race horses between the tracks in Miami, Florida, has been before this Commission several times. By Order No. 1000, dated March 10, 1937, this Commission held that the transportation of race horses between the tracks in and adjacent to Miami, Florida, using the highways proposed to be used in this application, is transportation in common carriage and those engaged in such transportation were declared to be limited common carriers.

3. At this session of the Commission there was another application to transport race horses filed by Railway Express Agency, Inc., and an agreement was reached between the parties that the testimony taken in each case, insofar as it is applicable, be considered in both cases.

4. In addition to the testimony of the applicant who testified at length as to his experience in the business of transporting race horses, and as to the superiority of his vans over those of the protestants, and as to the necessity for careful handling of race horses, the testimony of the witnesses produced by Railway Express Agency, Inc., under the stipulation mentioned herein is to be considered in determining this application. The applicant is evidently experienced in the transportation of race horses. He operates at race tracks in Maryland, Delaware and New York and has been engaged in this business since 1925. The witnesses who testified indicated that they would be very glad to patronize the service of the applicant if authority was granted to him. There were nine of these witnesses, and also five others, who were named in the record, and it was stipulated that these five who had been present at the morning hearing would testify to the same facts as were presented by the nine. Most of these witnesses were trainers and handlers of race horses and familiar with the transportation involved.

5. The evidence produced indicated that there was a desire on the part of these witnesses for additional van service to transport the race horses to and from the race tracks; that race horses are very nervous, require special and careful handling, and should be transported to the track at which they are to race as late as possible before the race and

returned to their stables as early as they could be cooled off after the race. Testimony was also given that the vans now being used by those authorized to perform this service were not quite as good as the vans offered by the applicant, and that the trainers and race horse owners were fearful of injury to their horses through the use of these vans. No testimony was given, however, as to any accident that had ever occurred and each of the witnesses agreed that their horses had always reached the track in good condition in time for the races. The protestants testified that they had adequate equipment and were performing adequate service, and were ready and willing upon direction of the Commission to provide whatever vans and service were necessary to carry out their obligations to transport safely these race horses. They further testified that the revenue from this transportation was not great and that if it is divided among four carriers their revenue would be greatly curtailed and the operation would not be profitable.

6. The Commission has carefully considered the evidence presented in this case and while it is apparent that the witnesses who testified prefer the service of this applicant to the present service being afforded by the protestants, it is evident that it is their desire to have as much transportation as it is possible to have in order that they may have a van at their disposal whenever they see fit to use it, and they gave no specific instances of inadequacy of service on the part of the protestants. The Commission having determined at a former hearing that this operation is one in common carriage and public convenience and necessity must be shown and inadequacy of transportation facilities in the territory must also be evidenced, it is now of the opinion that this burden has not been met by the applicant, and is further of the opinion that the granting of this application would seriously affect the revenues of those now engaged in this service, and for this reason the application should be denied.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of P. T. Malone, operating under the firm name of **MALONE HORSE PULLMAN SERVICE** of Coral Gables, Florida, for a Certificate of Public Convenience and Necessity as a limited Common Carrier transporting race horses from Hialeah, Florida, via Palm Avenue to Red Road south, thence west via Bird Road to Tropical Park Race Track and return, and from both of said horse race tracks in Dade County to Hollywood Race Track, Hollywood, Florida, over Federal Highway No. 1, be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 5th day of December, 1939.

COMMISSIONER DOUGLASS DISSENTS ON THE GROUND THAT IN HIS OPINION THERE IS SUFFICIENT SHOWING OF PUBLIC CONVENIENCE AND NECESSITY AND THE APPLICATION SHOULD BE GRANTED.

ORDER NO. 1219,

DOCKET NO. 465.

IN RE: CITATION AGAINST PHILADELPHIA-DETROIT LINES FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1200, dated November 3, 1939, Philadelphia-Detroit Lines was found guilty of having failed to pay mileage taxes and make mileage tax reports within the time required by law and the rules and regulations of this Commission and penalties were assessed against it.

2. It now appears from the report of the Auditors of the Comptroller's office, contained in a letter dated November 17, 1939, attached to the file, that Philadelphia-Detroit Lines was not responsible for the delay in filing its mileage tax report and paying its mileage taxes.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the judgment entered against Philadelphia-Detroit Lines by Order No. 1200, be and the same is hereby **VACATED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

ORDER NO. 1220,

DOCKET NO. 100-5.

IN RE: CITATION AGAINST BROWN MOTOR FREIGHT LINE FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1201, dated November 3, 1939, Brown Motor Freight Line was found guilty for failure to pay mileage taxes and to make mileage tax reports and penalties were assessed against it as shown in said Order one of which provided for payment of a fine of \$50.00, which would

be accepted as full satisfaction of all penalties entered against said company.

2. It now appears that the fine imposed by Order No. 1201 has been paid.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that said fine be, and it is hereby accepted, as full satisfaction of the judgment entered against the Brown Motor Freight Line by Order No. 1201, and said judgment is hereby **CANCELED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this November 28th, 1939.

ORDER NO. 1221,

DOCKET NO. 100-6.

IN RE: APPLICATION OF L. & L. FREIGHT LINES, INC., OF JACKSONVILLE, FLORIDA, FOR APPROVAL OF ADDITIONAL OPERATING SCHEDULES BETWEEN JACKSONVILLE AND MIAMI, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on November 20, 1939, pursuant to Notice No. 628. The following appeared:

McCarthy Crenshaw and Martin Johnson both of Jacksonville, Florida, for the applicant.

E. R. Rowland of Tampa, Florida, for Tamiami Trail Tours, Inc.; W. J. Oven for Receivers of Seaboard Air Line Railway;

J. R. Mathews for Great Southern Trucking Company.

2. L. & L. Freight Lines, Inc., seek a new operating Schedule No. 11-A, Time Table No. 1, superseding its present Schedule No. 11. The proposed schedule would leave Jacksonville at 11:30 P. M. and arrive at Miami at 8:30 A. M. and Northbound would leave Miami at 12:30 A. M. arriving in Jacksonville at 9:00 A. M. The schedule is limited to the hauling of motion picture films in interstate commerce only. The purpose is to speed up the moving of the films immediately after the closing of the theatres in Jacksonville and Miami. It appears that all of these films have been moving exclusively in interstate commerce. The

Commission is of opinion that the granting of this schedule is in the public interest and will improve the service of the applicant.

3. The other new schedule sought is No. 2-C, superseding No. 2-B. The present schedule (2-B) is Northbound only and leaves Miami at 11:30 A. M. arriving Fort Pierce, its Northbound terminus, at 6:10 P. M. and was granted for the purpose of enabling the applicant to make afternoon deliveries out of Miami in the lower East Coast area. The trucks operating this schedule at present proceed on to Jacksonville as additional sections on a through Northbound schedule which leaves Fort Pierce at 9:10 P. M. The proposed Schedule 2-C would extend this schedule on into Jacksonville leaving Fort Pierce at 6:10 P. M. and arriving in Jacksonville at 1:10 A. M. The applicant did not show any need for an additional through schedule from Miami to Jacksonville, the applicant being able at present to move its vehicles into Jacksonville as additional sections of the existing overnight schedule. Furthermore, it appears that the extension of this service as proposed would create a new and faster service for the applicant between Jacksonville and Tampa via applicant's connection at New Smyrna with the Akin Transportation Company and that company's connection at Orlando with the Star Truck Line which operates from Orlando to Tampa. No need for such a new or expedited service was shown. This feature of the proposed new service was objected to by protestants who adequately serve Miami and Tampa. The Commission is of opinion that Schedule No. 2-C, would not improve transportation in the territory involved and is not in the public interest, and, therefore, should not be approved.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Schedule No. 11-A, Time Table No. 1, of L. & L. Freight Lines, Inc., copy of which is attached to this order and expressly made part heretof, be and the same is hereby **APPROVED**.

It is further **ORDERED** that the application for approval of Schedule No. 2-C, Superseding Schedule No. 2-B, be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

ORDER NO. 1222,

DOCKET NO. 100-66.

IN RE: APPLICATION OF BLUE'S TRUCK LINE, INC., FOR EXTENSION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 111, TO INCLUDE HAULING UNDER CONTRACT WITH THE TEXAS COMPANY AND THE AMERICAN OIL COMPANY.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 628, dated November 1, 1939, this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on November 21, 1939.

Stanton Walker represented the applicant.

W. J. Oven, C. D. Meitin and C. E. Edwards for Seaboard Air Line Railway; E. R. Rowland represented Tamiami Trail Tours, Inc., and J. R. Mathews appeared for Great Southern Trucking Company; J. P. Everton for L. & L. Freight Lines, Inc.

2. The applicant seeks authority to transport gasoline, motor fuel, kerosene, fuel and heating oils and other petroleum products from and to points designated in its contract for The American Oil Company as a contract carrier. A copy of the contract between the applicant and The American Oil Company was filed in his proceeding as Exhibit No. 1, from which it appears that The American Oil Company desires the applicant to transport for it not less than an aggregate of 100,000 gallons of the above mentioned liquid products in tank trucks per month between the points and at the rates named in such contract. It appears from the testimony that the greater part of the bulk products of The American Oil Company are now and will continue to be transported in tank cars by the rail lines and the authority asked is to transport these bulk products between the depots or bulk stations of The American Oil Company to the certain points named in the contract.

3. The applicant also asks authority to transport lubricating oils and greases, empty drums and diesel and tractor fuel oils for The Texas Company, a Delaware Corporation having an office in the City of Atlanta, Georgia, from Jacksonville, Florida, to certain points in the State of Florida named in Exhibit "C" of its contract, and also asks that the applicant be authorized to transport lubricating oils, greases and empty drums from Miami, Florida, to certain points in the State of Florida mentioned in Exhibit "D" of said contract—the rates for such transportation being set out in detail in said Exhibits "C" and "D." A copy of the contract with The Texas Company was filed in evidence as Exhibit No. 2, and it was stipulated and agreed that only the products mentioned

in Exhibits "C" and "D," and between the points in the State of Florida mentioned in said exhibits, were to be considered by this Commission.

4. The evidence shows that The American Oil Company is now transporting these particular products and between these points in its own trucks and will cease to operate its own trucks if this contract with the application is approved. The evidence further shows that it is necessary that its products be transported in smaller quantities and at shorter intervals than it is now permitted under the tariffs and schedules of the common carriers by rail and by motor except under very high rates.

5. The Commission has carefully considered the contracts and the evidence introduced in this case and is of opinion that the application of Blue's Truck Line, Inc., to transport the products of The American Oil Company and of The Texas Company, modified to include the transportation of liquid bulk products only of The American Oil Company and the products mentioned in Exhibits "C" and "D" of The Texas Company, should be granted.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida, as follows:

- (a) That Blue's Truck Line, Inc., is authorized to transport in tank trucks as a contract carrier under contract with THE AMERICAN OIL COMPANY gasoline, motor fuel, kerosene, fuel and heating oils at the rates per gallon set out in Schedule "A" of the contract between the said parties over the highways of the State of Florida between the following points:

FROM

Port Everglades, Florida
Port Everglades, Florida
Port Everglades, Florida
Port Everglades, Florida
Miami, Florida
Miami, Florida
Sanford, Florida
Sanford, Florida
Sanford, Florida
Sanford, Florida
Sanford, Florida
Sanford, Florida
Sanford, Florida
Sanford, Florida
Tampa, Florida
Tampa, Florida
AND RETURN.

TO

Melbourne, Florida
Miami, Florida
West Palm Beach, Florida
Fort Pierce, Florida
Port Everglades, Florida
West Palm Beach, Florida
Clermont, Florida
Daytona Beach, Florida
DeLand, Florida
Lakeland, Florida
Orlando, Florida
Tampa, Florida
Tavares, Florida
Lakeland, Florida
Orlando, Florida

- (b) Blue's Truck Line., Inc., is hereby AUTHORIZED to transport as a contract carrier under contract with THE TEXAS COMPANY lubricating oils and greases, empty drums, diesel and tractor fuel oils from Jacksonville, Florida, to Bunnell, Fernandina, Gainesville, Lake City, Live Oak, Monticello, Quincy, St. Augustine, Sanford, Tallahassee and Titusville and return observing the rates set out in Exhibit "C" of said contract, and to transport lubricating oils and greases and empty drums at the rates set out in Exhibit "D" of said contract between Miami, Florida, and Key West, Melbourne, Stuart, Vero Beach, and empty drums between Miami Beach, Florida, and the above mentioned points.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 24th day of November, 1939.

ORDER NO. 1223,

DOCKET NO. 100-77.

IN RE: CITATION AGAINST NATIONAL CONVOY & TRUCKING COMPANY FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1195, dated November 3, 1939, National Convoy & Trucking Company was found guilty for failure to pay mileage taxes and to make mileage tax reports and penalties were assessed against it as shown in said order one of which provided for payment of a fine of \$25.00, which would be accepted as full satisfaction of all penalties entered against said company.

2. It now appears that the fine imposed by Order No. 1195 has been paid.

WHEREFORE, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that said fine be, and it is hereby accepted as full satisfaction of the judgment entered against the National Convoy & Trucking Company by Order No. 1195, and said judgment is hereby CANCELED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of November, 1939.

ORDER NO. 1224,

DOCKET NO. 363.

IN RE: CITATION AGAINST GREAT SOUTHERN TRUCKING COMPANY FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1196, dated November 3, 1939, Great Southern Trucking Company was found guilty for failure to pay mileage taxes and to make mileage tax reports and penalties were assessed against it as shown in said Order, one of which provided for payment of a fine of \$25.00 which would be accepted as full satisfaction of all penalties entered against said company.

2. It now appears that the fine imposed by Order No. 1196 has been paid.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that said fine be, and it is hereby accepted as full satisfaction of the judgment entered against the Great Southern Trucking Company by Order No. 1196, and said judgment is hereby **CANCELED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of November, 1939.

ORDER NO. 1225,

DOCKET NO. 607.

IN RE: CITATION AGAINST SULLIVAN, LONG & HAGERTY, LTD., FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTHS OF MAY, JUNE, JULY, AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1198, dated November 3, 1939, Sullivan, Long & Hagerty, Ltd., was found guilty for failure to pay mileage taxes and to make mileage tax reports and penalties were assessed against it as shown in said order, one of which provided for payment of a fine of \$25.00, which would be accepted as full satisfaction of all penalties entered against said company.

2. It now appears that the fine imposed by Order No. 1198 has been paid.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that said fine be, and it is hereby accepted as full satisfaction of the judgment entered against the said Sullivan, Long & Hagerty, Ltd., by Order No. 1198, and said judgment is hereby **CANCELED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of November, 1939.

ORDER NO. 1226,

DOCKET NO. 401.

IN RE: CITATION AGAINST TOM H. BLOWERS FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1203, dated November 3, 1939, Tom H. Blowers was found guilty for failure to pay mileage taxes and to make mileage tax reports and penalties were assessed against it as shown in said Order, one of which provided for payment of a fine of \$50.00, which would be accepted as full satisfaction of all penalties entered against said company.

2. It now appears that the fine imposed by Order No. 1203 has been paid.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that said fine be, and it is hereby accepted as full satisfaction of the judgment entered against Tom H. Blowers by Order No. 1203, and said judgment is hereby **CANCELED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of November, 1939.

ORDER NO. 1227,

DOCKET NO. 1227.

IN RE: CITATION AGAINST UNIVERSITY CITY TRANSFER COMPANY FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTHS OF JUNE, JULY, AUGUST AND SEPTEMBER, 1939.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1197, dated November 3, 1939, University City Transfer Company was found guilty for failure to pay mileage taxes and to make mileage tax reports and penalties were assessed against it as shown in said Order, one of which provided for payment of a fine of \$25.00, which would be accepted as full satisfaction of all penalties entered against said company.

2. It now appears that the fine imposed by Order No. 1197 has been paid.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that said fine be, and it is hereby accepted as full satisfaction of the judgment entered against the University City Transfer Company by Order No. 1197, and said judgment is hereby CANCELED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of December, 1939.

ORDER NO. 1228,

DOCKET NO. 100-122.

IN RE: OPERATION OF MRS. AILEEN GREEN OF DELAND, UNDER
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO.
110.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 131, dated December 10, 1929, and recorded in Order Book "A" on page 261, Certificate of Public Convenience and Necessity No. 110 was granted to Mrs. Aileen Green authorizing a bus operation from DeLand to DeLand Station meeting trains for passengers, freight and mail, and also covering a truck and trailer operation to meet the boat at Crows Bluff Landing.

2. By Order No. 566, dated January 12, 1933, that portion of Certificate of Public Convenience and Necessity No. 110 which authorized the operation of trucks to meet the boat at Crows Bluff Landing was canceled.

3. It further appears from the records of the Commission that the authority heretofore granted under Permit to transport household goods and passengers for hire over the highways of the State of Florida has also been revoked.

4. It now appears from an investigation of the operation of Mrs. Green that by reason of the decision of Volusia County Circuit Court defining the adjacent suburban territory of DeLand, holding that the station of the Atlantic Coast Line Railroad was included in such adjacent suburban territory, she has ceased her operation under said Certificate.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that authority to operate as a certificated carrier between DeLand and DeLand Station is hereby **REVOKED**, and Certificate of Public Convenience and necessity No. 110 is hereby **CANCELED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 10th day of October, 1939.

ORDER NO. 1229,

DOCKET NO. 620.

IN RE: APPLICATION OF JOHN C. MILLER OF MIAMI, FLORIDA, FOR AN EXTENSION OF LIMITED COMMON CARRIER CERTIFICATE NO. 212 TO INCLUDE THE TRANSPORTATION OF FULL TRUCK LOADS OF CERTAIN HEAVY COMMODITIES FROM MIAMI TO PORT EVERGLADES TO POINTS SOUTH OF MIAMI, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. This application came on for formal hearing before the Railroad Commission of the State of Florida at the Dade County Court House in Miami, Florida, on October 9, 1939. The following appeared:

Robert F. Underwood of Miami for the applicant.

Leo P. Kitchen and Dan R. Schwartz of Jacksonville for Overseas Transportation Company, Inc., and Leonard Brothers Transfer & Storage Company, Inc.; Martin Johnson of Jacksonville for L. & L. Freight Lines, Inc., and Great Southern Trucking Company and C. D. Meitin of Miami for Florida East Coast Railway and Seaboard Air Line Railway.

2. John C. Miller holds a limited Common Carrier Certificate of Public Convenience and Necessity No. 212 and is authorized by Order No. 1118, dated December 9, 1938, to haul coral rock from the Keys south of Miami to Miami and West Palm Beach and intermediate points over State Highways Nos. 4 and 4-A. This application originally sought to

extend this authority to include the transportation of all kinds of heavy cargo and bulk freight between Key West and Jacksonville. This was amended, however, at the hearing and limited to the hauling of the following commodities in full truck loads only:

Sand, rock, cement, cement blocks, iron and terra-cotta pipe, lumber, ice and fertilizer.

The application was further limited to points South of West Palm Beach.

3. It developed at the hearing that the applicant desired mainly the right to haul the above products Southbound out of Miami on trucks that are at present operated empty and which on their Northbound trips haul coral rock under applicant's present authority. The application as amended is limited to full truck loads of the commodities named, and it appears that there is some need for a carrier who will haul these heavy commodities into this territory. The Overseas Transportation Company, a common carrier of general commodities between Miami and Key West, protested the granting of this application but its witness testified that it was not equipped to haul and could not haul truck loads of sand, rock, concrete blocks and fertilizer. The L. & L. Freight Lines and Great Southern Trucking Company protested the granting of any additional authority to haul between Miami and points North of Miami. The applicant showed no need for transportation in this territory except from Port Everglades to points South of Miami but not including transportation between Port Everglades and Miami. The railroads also protested the granting of the application to points as far south as Florida City, the southern-most point served by them.

4. The Commission has carefully considered the record in this case, and the briefs and protests filed, and is of opinion that public convenience and necessity require the granting of this application limited to full truck-loads only between Port Everglades or Miami on the North and points South of Miami on State Highways 4 and 4-A. The transportation of ice will be limited to full truckloads only from Miami or Homestead to points South of Florida City. In accordance with the exhibits filed with the application, and the testimony thereon, the minimum load will be ten (10) tons and the maximum load twelve (12) tons on irregular schedules upon demand and the rates charged will be two (2c) cents per ton mile for the distance hauled with a minimum charge of \$7.50.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that limited Common Carrier Certificate of Public Convenience and Necessity No. 212 of John C. Miller of Miami, Florida, be and the same is hereby extended to include the transportation of full truck-loads, straight or mixed, of sand, rock, cement, cement blocks, iron and terra-cotta pipe, lumber and fertilizer

from Port Everglades or Miami to points South of Miami on State Road No. 4 and 4-A, and the transportation of full truckloads of wet ice from Miami or Homestead to points South of Florida City.

It is further ORDERED that the rates set forth above are APPROVED and that the applicant shall operate as a common carrier upon demand and on irregular schedules.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 5th day of December, 1939.

CITATION

ORDER NO. 1230,

DOCKET NO. 303.

IN RE: COMPLAINT AGAINST GREAT SOUTHERN TRUCKING COMPANY OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that Great Southern Trucking Company of Jacksonville, Florida, has violated the law and the Rules and Regulations of this Commission in the particulars hereinafter set forth:

Therefore, you, Great Southern Trucking Company TAKE NOTICE that the Railroad Commission of the State of Florida charges you as follows:

1. A violation of Section 23 of Chapter 14764, Laws of Florida, Acts of 1931, and of Rule 33 of this Commission in that you operated over State Road No. 4 in Broward County on October 17, 1939, a Ford tractor and semi-trailer, driven by R. R. Varnes, without any Railroad Commission number plates attached to either said tractor or semi-trailer.
2. A violation of Section 8, of said Chapter 14764, and of Rule 17 in that you operated on State Road No. 4 in Broward County on October 17, 1939, a Ford tractor and semi-trailer driven by R. R. Varnes approximately three and one half hours later than the schedule on file with this Commission.
3. A violation of Section 8 of said Chapter 14764, and of Rule 17 in that you did on September 25, 1939, operate on State

Road No. 4 from the Georgia-Florida line to Jacksonville, a Ford tractor and semi-trailer, with Commission plates numbered 1390 and 1131 and driven by C. B. Lemocks, at approximately 6:35 P. M., without any schedule having been filed or approved by this Commission for an operation at that time.

And further TAKE NOTICE that on Tuesday, January 9, 1940, at 10 o'clock A. M. the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charges.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of December, 1939.

CITATION

ORDER NO. 1231,

DOCKET NO. 440.

IN RE: COMPLAINT AGAINST HOWARD HALL COMPANY, INC., OF BIRMINGHAM, ALABAMA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that Howard Hall Company, Inc., of Birmingham, Alabama, has violated the law and the Rules and Regulations of this Commission in the particulars hereinafter set forth:

Therefore, you, Howard Hall Company, Inc., TAKE NOTICE that the Railroad Commission of the State of Florida charges you as follows:

1. A violation of Section 23 of Chapter 14764, Laws of Florida, Acts of 1931, and of Rule 33 of this Commission, in that you operated over State Road No. 2 in Marion County Florida on July 18, 1939, a G. M. C. tractor and semi-trailer driven by C. M. Hunter without any Railroad Commission number plate attached to said semi-trailer.

2. A violation of Section 23 of said Chapter 14764 and of Rule 33 in that you operated in Duval County Florida on November 2, 1939, a tractor and semi-trailer without said trailer having a Florida license plate and without either said tractor or said semi-trailer having a Railroad Commission number plate; and a further violation on said date of Rule 57 in that the driver of said vehicle did not have a manifest of the cargo on the vehicle.

And further TAKE NOTICE that on Tuesday, January 9, 1940 at 10 o'clock A. M. the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charges.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of December, 1939.

CITATION

ORDER NO. 1232.

DOCKET NO. 648.

IN RE: COMPLAINT AGAINST DEATON TRUCK LINES, INC., OF BIRMINGHAM, ALABAMA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that Deaton Truck Lines, Inc., of Birmingham, Alabama, has violated the law and the Rules and Regulations of this Commission in the particulars hereinafter set forth:

Therefore, you, Deaton Truck Lines, Inc., TAKE NOTICE that the Railroad Commission of the State of Florida charges you as follows:

1. A violation of Section 23 of Chapter 14764, Laws of Florida, Acts of 1931, and of Rule 33 of this Commission, in that you operated on State Road No. 4 in Broward County Florida, on October 24, 1939, a G. M. C. tractor and semi-trailer, driven

by R. S. Lowe, without any Florida Railroad Commission number plates attached to said trailer; and a further violation on said date of Rule 57 of this Commission, in that the driver of said vehicle did not carry a manifest of the cargo thereon.

And further TAKE NOTICE that on Tuesday, January 9, 1940, at 10 o'clock A. M., the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty, to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charge.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of December, 1939.

CITATION

ORDER NO. 1233.

DOCKET NO. 310.

IN RE: COMPLAINT AGAINST R. C. MOTOR LINES OF HIGH POINT, NORTH CAROLINA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that R. C. Motor Lines, of High Point, North Carolina, has violated the law and the Rules and Regulations of this Commission in the particulars hereinafter set forth:

Therefore, you, R. C. Motor Lines, TAKE NOTICE that the Railroad Commission of the State of Florida charges you as follows:

1. A violation on or about November 22, 1939, of Rules 26, 31, 33, 57 and of the limitations placed upon your authority to operate from this Commission, in that you did operate a truck from Baltimore, Maryland, to Jacksonville Florida, and other points in Florida, driven by S. J. Drawbridge, and owned by L. S. Cellon, under a purported lease agreement with the owner not in accordance with said Rule 26, and without a Florida for hire license tag as required by the Florida Motor

Vehicle Licensing Laws and the Rules of this Commission, and without any Railroad Commission number plate on said truck, and without the driver of said truck having a manifest showing the cargo thereof and without your Florida Railroad Commission Certificate of Registration number being on said truck.

2. A violation of the law and of Rules 26, 31, 33, and 57 of the Rules and Regulations of this Commission, in that you did on or about November 22, 1939, operate a truck from Baltimore, Maryland, to Jacksonville, Florida, driven by R. F. Peeples, and owned by G. L. Fresh, under a purported lease from the owner in violation of said Rule 26, and without any Railroad Commission plates or Florida for hire license tag on said truck as required by law, and without your Certificate of Registration number or your name shown on the side of said truck, and without the driver thereof having in his possession a proper manifest.

And further TAKE NOTICE that on Tuesday, January 9, 1940, at 10 o'clock A. M., the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charges.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of December, 1939.

CITATION

ORDER NO. 1234,

DOCKET NO. 100-62.

IN RE: COMPLAINT AGAINST C. & H. TRANSFER COMPANY OF
FORT LAUDERDALE, FLORIDA, FOR VIOLATION OF THE LAW
AND THE RULES AND REGULATIONS OF THE RAILROAD
COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that C. & H. Transfer Company of Fort Lauderdale, Florida, has violated the law

and the Rules and Regulations of this Commission in the particulars hereinafter set forth:

Therefore, you, C. & H. Transfer Company, TAKE NOTICE that the Railroad Commission of the State of Florida charges you as follows:

1. A violation of Rule 7 of the Rules and Regulations of this Commission governing the transportation of uncrated household goods and store fixtures, in that you did on or about November 21, 1939, transport a load of merchandise for a millinery store from Fort Lauderdale to West Palm Beach, without any authority from this Commission to haul such goods for compensation.
2. A violation of Rule 17 and Rule 57, in that on or about November 6, 1939, you did operate a truck from Miami to Fort Lauderdale at a time other than that shown on your schedule on file with this Commission, and that the driver of said truck did not have a manifest showing the contents of the truck.
3. A violation of Rule 17 of this Commission governing schedules of operation, in that you did, on November 8, 1939, operate a truck from Fort Lauderdale to Miami approximately three and one half hours later than your schedule on file with this Commission.

And further TAKE NOTICE that on Tuesday, January 9, 1940, at 10 o'clock A. M. the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charges.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of December, 1939.

CITATION**ORDER NO. 1235,****DOCKET NO. 330.**

IN RE: COMPLAINT AGAINST MARSHALL TRANSFER COMPANY OF FORT LAUDERDALE, FLORIDA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that Marshall Transfer Company of Fort Lauderdale, Florida, has violated the law and the Rules and Regulations of this Commission in the particulars hereinafter set forth:

Therefore, you, Marshall Transfer Company **TAKE NOTICE** that the Railroad Commission of the State of Florida charges you as follows:

1. A violation of Rule 17 of the Rules and Regulations of this Commission, in that you did on November 17, 1939, operate a truck from Port Everglades to Miami, approximately five hours later than the time shown in your schedule on file with this Commission; and that said truck was further operated in violation of Rule 57, in that the driver did not have a manifest showing the amount of freight being transported thereon or the charges for the same.

And further **TAKE NOTICE** that on Tuesday, January 9, 1940, at 10 o'clock A. M., the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charge.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of December, 1939.

CITATION**ORDER NO. 1236,****DOCKET NO. 100-53.**

IN RE: COMPLAINT AGAINST FIVE TRANSPORTATION COMPANY OF BRUNSWICK, GEORGIA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that Five Transportation Company of Brunswick Georgia, has violated the law and the Rules and Regulations of this Commission in the particulars hereinafter set forth:

Therefore, you, Five Transportation Company **TAKE NOTICE** that the Railroad Commission of the State of Florida charges you as follows:

1. A violation of the law and of Rule 33 of this Commission, in that you did, on September 26, 1939, operate a Chevrolet tractor and semi-trailer on State Road No. 3 between Jacksonville and the Georgia-Florida line without said vehicle being qualified with this Commission and without said vehicle bearing the proper for hire license tag required by the laws of this state.
2. A violation of Rules 33 and 17 of this Commission, in that you did operate, on September 27, 1939, from Brunswick, Georgia, to Jacksonville, over State Road No. 3, a Chevrolet tractor and semi-trailer without the tractor being qualified with this Commission, and bearing the Commission number plate required; and further that said truck was operated off schedule.
3. A violation of Rule 17 of the Rules and Regulations of this Commission, in that you did on September 27, 1939, operate a truck over State Road No. 3 from Jacksonville to the Georgia-Florida line, at approximately eight o'clock P. M., or at a time not authorized by your schedule on file with this Commission.
4. A violation of the law and Rule 33 of the Rules and Regulations of this Commission, in that on November 22, 1939, you operated in Nassau County Florida, a truck bearing a private license tag and without a Railroad Commission number plate.

5. A violation of Rule 33 of this Commission, in that on December 8, 1939, you operated a Chevrolet truck over State Road No. 3 from Savannah, Georgia, to Jacksonville, without any Railroad Commission number plate on said truck.

And further TAKE NOTICE that on Tuesday, January 9, 1940, at 10 o'clock A. M., the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charges.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of December, 1939.

CITATION

ORDER NO. 1237.

DOCKET NO. 100-6.

IN RE: COMPLAINT AGAINST L. & L. FREIGHT LINES, INC., OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that L. & L. Freight Lines, Inc., of Jacksonville, Florida, has violated the law and the Rules and Regulations of this Commission in the particulars hereinafter set forth:

Therefore, you, L. & L. Freight Lines, Inc., TAKE NOTICE that the Railroad Commission of the State of Florida charges you as follows:

1. A violation of Rule 33 of the Rules and Regulations of this Commission, in that you did on October 30, 1939, operate a tractor and semi-trailer combination vehicle, driven by W. J. Farthing, from Port Everglades to Miami without a Railroad Commission number plate on said tractor; and a further violation on said date of Section 11 of Chapter 14764, Laws of Florida, Acts of 1931, as amended and of Rule 30 of this Commission, in that said vehicle had a gross weight of more than 34,000 pounds.

And further TAKE NOTICE that on Tuesday, January 9, 1940, at 10 o'clock A. M., the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law

And at said time and place you will have an opportunity to be fully heard on said charge.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of December, 1939.

ORDER NO. 1238,

DOCKET NO. 100-106.

IN RE: CITATION AGAINST SUDDATH MOVING & STORAGE COMPANY OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF RULE 7 OF THE RULES AND REGULATIONS OF THE COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1188, dated July 26, 1939, Suddath Moving & Storage Company was found guilty of violating Rule No. 7 of the Rules and Regulations of this Commission governing the transportation of household goods, and penalties were assessed against it as shown in said Order, one of which provided for payment of a fine of \$50.00 which would be accepted as full satisfaction of all penalties entered against said company.

2. It now appears that the fine imposed by Order No. 1188 has been paid.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that said fine be, and it is hereby accepted as full satisfaction of the judgment entered against the Suddath Moving & Storage Company by Order No. 1188, and said judgment is hereby CANCELED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of November, 1939.

ORDER NO. 1239,**DOCKET NO. 100-43.**

IN RE: CITATION AGAINST KENNELLY TRANSFER & STORAGE COMPANY OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1190, dated the 26th day of July, 1939, Kennelly Transfer & Storage Company was found guilty of a wilful violation of Chapter 14764, Laws of Florida, Acts of 1931, as described in said order, and penalties were assessed against it as shown in said Order No. 1190, one of which provided for a fine of \$50.00 which would be accepted as full satisfaction of all penalties entered against said company.

2. It now appears that the fine imposed by Order No. 1190 has been paid.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that said fine be, and it is hereby accepted as full satisfaction of the judgment entered against Kennelly Transfer & Storage Company by Order No. 1190, and said Judgment is hereby CANCELED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of November, 1939.

ORDER NO. 1240,**DOCKET NO. 100-111.**

IN RE: CITATION AGAINST JOHN E. WITHERS TRANSFER & STORAGE COMPANY OF MIAMI, FLORIDA, FOR VIOLATION OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. By Order No. 1189, dated the 26th day of July, 1939, John E. Withers Transfer & Storage Company was found guilty of having violated Chapter 14764, Laws of Florida, Acts of 1931, as described in said order, and penalties were assessed against it as shown in said Order No. 1189, one of which provided for a fine of \$50.00 which would be accepted as full satisfaction of all penalties entered against said company.

2. It now appears that the fine imposed by Order No. 1189 has been paid.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that said fine be, and it is hereby accepted as full satisfaction of the judgment entered against John E. Withers Transfer & Storage Company by Order No. 1189, and said judgment is hereby **CANCELED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of November, 1939.

CITATION

ORDER NO. 1242,

DOCKET NO. 465.

IN RE: COMPLAINT AGAINST PHILADELPHIA-DETROIT LINES, INC., OF JACKSONVILLE, FLORIDA, FOR VIOLATION OF THE LAW AND THE RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that Philadelphia-Detroit Lines, Inc., of Jacksonville, Florida, has violated the law and the rules and regulations of this Commission in the particulars hereinafter set forth:

Therefore you, Philadelphia-Detroit Lines, Inc., **TAKE NOTICE** that the Railroad Commission of the State of Florida charges you as follows:

- (1) A violation of Section 23 of Chapter 14764, Laws of Florida, Acts of 1931, and of Rule 33 of this Commission, in that on December 8, 1939, you operated over State Road No. 3, in Nassau County, Florida, a Dodge Tractor with North Carolina License Tag No. 4122, with a semi-trailer convoy operating for compensation under your authority from this Commission without any Railroad Commission plate on said truck or trailer.

And further **TAKE NOTICE** that on Tuesday, JANUARY 9th, 1940, at 10:00 o'clock A. M. the Railroad Commission of the State of Florida will be in session at its Hearing Room, SUPREME COURT BUILDING, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty, to then and there consider what penalties shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charge.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of December, 1939.

CITATION

ORDER NO. 1243,

DOCKET NO. 539.

IN RE: COMPLAINT AGAINST McDOWALL TRANSPORT, INC., OF
MIAMI, FLORIDA, FOR VIOLATION OF THE LAW AND THE
RULES AND REGULATIONS OF THE RAILROAD COMMISSION.
BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that McDowall Transport, Inc., of Miami, Florida, has violated the law and the rules and regulations of this Commission in the particulars hereinafter set forth:

Therefore you, McDOWALL TRANSPORT, INC., TAKE NOTICE that the Railroad Commission of the State of Florida charges you as follows:

- (1) A violation of Section 23 of Chapter 14764, Laws of Florida, Acts of 1931, and of Rule 33 of this Commission, in that on December 8, 1939, you operated over State Road No. 3, in Nassau County, Florida, a Dodge Tractor with Semi-trailer convoy bearing Florida License Tags, driven by Clyde Cody, operating for compensation under your authority from this Commission, without any Railroad Commission plate on said truck or trailer.
- (2) A violation of Section 23 of Chapter 14764, Laws of Florida, Acts of 1931, and of Rule 33 of this Commission, in that on December 8, 1939, you operated over State Road No. 3, Nassau County, Florida, a Dodge Tractor with Semi-trailer convoy, bearing Florida License Tags, operating for compensation under your authority from this Commission, without any Railroad Commission plate on said truck or trailer, said vehicles being driven by C. W. Curtis.

And further TAKE NOTICE that on Tuesday, JANUARY 9, 1940, at 10:00 o'clock A. M. the Railroad Commission of the State of Florida will be in session at its Hearing Room, SUPREME COURT BUILDING,

Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalties shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charges.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of December, 1939.

ORDER NO. 1244,

DOCKET NO. 685.

IN RE: APPLICATION OF S. BRYAN JENNINGS AND WILLIAM J. PORTER, DOING BUSINESS AS CAMP AND KEYSTONE LINES FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A COMMON CARRIER OF PASSENGERS OPERATING BETWEEN JACKSONVILLE AND OCALA OVER VARIOUS ROUTES HEREINAFTER MENTIONED.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 626, dated October 28, 1939, this matter came on for hearing before the Railroad Commission at the Roosevelt Hotel, Jacksonville, Florida, on Monday, November 13th, at 10 o'clock A. M.

Stanton Walker appeared for the applicant.

A. Y. Milam and Donald K. Carroll appeared for protestant, Florida Motor Lines; Mrs. Hazel Bell for Gator Motor Lines and Sam Kassewitz for Motor Transit Company.

2. S. Bryan Jennings and Wm. J. Porter, Attorneys at Law, have filed an application for a Certificate of Public Convenience and Necessity authorizing the transportation of passengers and propose to organize a company known as Camp and Keystone Lines, and are asking authority to operate between the following points and over the following routes:

1. Jacksonville to Keystone Heights, via Naval Air Base, Middleburg, Waller, and Gold Head Branch State Park over State Highway No. 68 to Keystone Heights. Connections with Naval Air Base over Road to be constructed.

2. Jacksonville to Keystone Heights via Naval Air Base, Middleburg, Waller, Kingsley Lake, State Military Camp at Kingsley Lake and Starke

over State Highway No. 68, Jacksonville to Waller; State Highway No. 48, Waller to Starke and State Highway No. 28, Starke to Keystone Heights. Waller to State Military Camp on Kingsley Lake over new road under construction.

3. Starke to Green Cove Springs via Kingsley Lake, State Military Camp, Waller, and Penny Farms over State Highway No. 48, Starke to Green Cove Springs.

4. Keystone Heights to Ocala via Melrose, Hawthorne, Lochloosa, Island Grove, Citra, Sparr and Anthony over State Highways No. 80 and No. 14, Keystone Heights to Melrose to Hawthorne; State Highway No. 31, Hawthorne to Ocala.

5. Keystone Heights to Ocala via Melrose, Johnson, Orange Springs, Fort McCoy and Silver Springs over State Highways Nos. 80, 14 and 340, Keystone Heights to Orange Springs; State Highways Nos. 244 and 19, Orange Springs to Silver Springs; State Highway No. 19, Silver Springs to Ocala.

Connections with Lake Geneva and Putnam Hall on alternate route between Keystone Heights and Melrose over State Roads Nos. 28 and 267.

Termini—Jacksonville, Starke, Green Cove Springs and Ocala.

3. The applicants testified and produced witnesses to prove that the central part of Clay County through which this operation would run has no transportation; that a great deal of money has been spent in the development of this area and that there are a number of people who live in the territory around Middleburg who would like to go to Jacksonville and return the same day, and that the granting of this operation would open up quite a large territory and would satisfy a demand for transportation. That there are also some of these people who would be interested in Southbound as well as Northbound traffic. Road No. 68, which the applicants propose to use is incomplete and it is impossible to use this road now except that part to Green Cove Springs. A new road No. 68 is being constructed and the grade is down but except from Orange Park to Middleburg the road has not been hard-surfaced. Pending the completion of this road No. 68, the applicants desire to detour between Jacksonville, Kingsley Lake, Starke and Keystone Heights, and suggested a detour via Green Cove Springs as a temporary route until this road has been completed. The testimony shows that there are in the neighborhood of four hundred people in and around Keystone Heights who are desirous of some transportation and through the City Council of Keystone Heights have approved this application. Several witnesses from Middleburg testified as to public convenience and necessity for this service.

4. The record shows that the Florida Motor Lines operate over the road from Jacksonville to Green Cove Springs, and has also been granted the right to serve the territory between Waldo and Ocala serving the towns of Orange Heights, Gainesville, Citra, Sparr and Anthony. Florida Motor Lines is also serving the territory between Silver Springs and Ocala and has many schedules between Ocala and Jacksonville in each direction. Florida Motor Lines does not now serve the territory between Starke and Green Cove Springs via Kingsley Lake but authority was asked at this hearing to provide such service as the Commission finds public convenience and necessity requires on the route from Starke to Green Cove Springs via Kingsley Lake and Penny Farms.

5. The Commission has carefully considered the testimony in this case and is of opinion that a considerable portion of the territory sought to be served now has adequate transportation but that the territory between Jacksonville and Silver Springs via Middleburg, Melrose, Johnson and Fort McCoy is not adequately served by any transportation company and is of opinion that public convenience and necessity requires such service.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the applicants, S. Bryan Jennings and William J. Porter, doing business as Camp and Keystone Lines, be and they are hereby **GRANTED** a Certificate of Public Convenience and Necessity as a Common Carrier transporting passengers between Jacksonville and Silver Springs serving Middleburg, Penny Farms, Keystone Heights, Melrose, Johnson and Fort McCoy over State Highways No. 68 from Jacksonville through Middleburg, Keystone Heights, thence to Melrose over Road No. 80 to intersection with Road No. 14, thence over Road No. 14 east to the intersection of Road No. 244 with Road No. 14, thence over Road No. 244 to Johnson, Orange Springs, Fort McCoy to Silver Springs.

It is further **ORDERED** that this application is denied as to all other routes described in such application.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 27th day of December, 1939.

ORDER NO. 1245,**DOCKET NO. 684.**

IN RE: APPLICATION OF W. C. AND L. H. BURNS, DOING BUSINESS AS BURNS BROTHERS TRUCK LINE FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A COMMON CARRIER OF FREIGHT BETWEEN JACKSONVILLE AND OCALA SERVING THE NAVAL AIR BASE, MIDDLEBURG AND OTHER POINTS HEREINAFTER MENTIONED.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 626, dated October 28, 1939, this matter came on for formal hearing before the Railroad Commission of the State of Florida at the Roosevelt Hotel, Jacksonville, Florida, on November 15, 1939, at 10 o'clock A. M.

Julian Fant appeared for applicant.

McCarthy Crenshaw appeared for L. & L. Freight Lines, Inc.; Leo P. Kitchen and Dan R. Schwartz for I. M. Lieberman doing business as Moed's Transfer Company; T. B. Smith for Central Truck Lines; W. J. Oven, Dan Kelly, Jr., and C. E. Edwards appeared for Receivers of Seaboard Air Line Railway; F. B. Langley and R. Ragland appeared for Atlantic Coast Line Railroad Company.

2. W. C. Burns and L. H. Burns, doing business as Burns Brothers Truck Line, have made application to this Commission for a Certificate of Public Convenience and Necessity to transport freight between the following points and over the following routes:

Jacksonville to Keystone Heights via Gold Head Branch State Park over State Road No. 68—with off-line connection with Naval Air Base over road to be constructed.

Jacksonville to Keystone Heights via Starke over—Jacksonville to Waller State Road No. 68; Waller to Starke State Road No. 48; Waller to State Military Camp on Kingsley Lake new road to be constructed; Starke to Keystone Heights State Road No. 28.

Starke to Green Cove Springs over State Road No. 48.

Keystone Heights to Melrose over State Road No. 80. Keystone Heights to Melrose over State Roads Nos. 28 and 267.

Melrose to Ocala via Hawthorne over State Roads Nos. 80, 14 and 31.

Melrose to Ocala via Fort McCoy and Silver Springs over State Roads Nos. 80, 14, and 340 to Fort McCoy. State Roads Nos. 244 and 19 to Ocala.

Termini: Jacksonville, Ocala and Green Cove Springs.

Pending completion of New State Road No. 68, applicants desire to detour by the most available temporary routes.

3. It was brought out on the record that the same witnesses who testified as to the need of bus service between these various points would also have testified as to the present inadequacy of truck service and as to the need for such service. The applicant testified that he had made a partial survey of this territory and found a need for freight service at Middleburg and at intermediate points between Jacksonville and Keystone Heights and Kingsley Lake. That there is no freight service from Starke to Green Cove Springs or from Kingsley Lake to Green Cove Springs. There was also presented to the Commission a Resolution from the Town Council of Keystone Heights approving this service. The applicant at the present time operates from Jacksonville over Road No. 17 to Orange Park and over Road No. 68 to Middleburg and back into Green Cove Springs via Doctor's Inlet, and thence from Green Cove Springs over State Road No. 48 to Waller and Penny Farms. Road No. 68 not being completed, the record is incomplete as to just where it will run between Middleburg and Jacksonville. It is not known whether it will be built on the old Orange Park road or whether an entirely new road will be constructed. The applicant also testified as to need of service from Keystone Heights South to Ocala.

4. The L. & L. Freight Lines serve the territory between Jacksonville and Green Cove Springs and also serves the Naval Air Base. It also serves from Jacksonville to Gainesville via Baldwin, Starke and Waldo, and would be willing to serve Kingsley Lake as an off-line point although its witness was of opinion that there was no specific need for such service. Both the Atlantic Coast Line Railroad Company and the Seaboard Air Line Railway serve this territory.

5. The Commission has carefully considered the record in this case and is of opinion that there is no necessity for an operation from Jacksonville into Ocala but that certain sections of this territory are without adequate transportation service for freight, and that public convenience and necessity requires the granting of a portion of this application.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of W. C. and L. H. Burns, doing business as Burns Brothers Truck Line, for a Certificate of Public Convenience and Necessity authorizing the transportation of freight be and the same is hereby **GRANTED** as to that portion of the territory between Jacksonville and Silver Springs via Middleburg, Penny Farms, Keystone Heights, Melrose, Johnson and Fort McCoy over Highways Nos. 68, 80 and 244.

It is further ORDERED that the application be DENIED as to other operations sought.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 27th day of December, 1939.

ORDER NO. 1246,

DOCKET NO. 100-121.

IN RE: ORDER REQUIRING FLORIDA MOTOR LINES CORPORATION TO OPERATE DAILY BUS SERVICE BETWEEN STARKE AND GREEN COVE SPRINGS, FLORIDA.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. It appears that at the hearing on November 13, 1939, in the application of Camp and Keystone Lines for a Certificate of Public Convenience and Necessity as a common carrier of passengers, a witness for Florida Motor Lines Corporation testified that if this Commission decided public convenience and necessity required motor bus service for passengers between Starke and Green Cove Springs via Kingsley Lake and Penny Farms that Florida Motor Lines Corporation would be willing to institute this service.

2. From the testimony heard in that case, and from the knowledge of the Commission as to the need of a service in this territory, the Commission finds that public convenience and necessity requires a passenger service between Starke and Green Cove Springs, Florida.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Florida Motor Lines Corporation be, and it is hereby, ORDERED AND DIRECTED to institute daily bus service between Starke and Green Cove Springs, Florida, over State Road No. 48, serving Kingsley Lake, Waller, and Penny Farms, Florida.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 27th day of December, 1939.

CITATION

ORDER NO. 1247,

DOCKET NO. 173.

IN RE: COMPLAINT AGAINST CALDWELL BONDED WAREHOUSE
OF TAMPA, FLORIDA, FOR VIOLATION OF THE LAW AND THE
RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

WHEREAS it has been reported to this Commission that Caldwell Bonded Warehouse of Tampa, Florida, has violated the law and the Rules and Regulations of this Commission in the particulars hereinafter set forth:

Therefore you, Caldwell Bonded Warehouse TAKE NOTICE that the Railroad Commission of the State of Florida charges you as follows:

- (1) A violation of Sections 8 and 20 of Chapter 14764, Laws of Florida, Acts of 1931, and of Rule 19 of this Commission in that on or about July 30, 1939 you transported a load of clothing, store furniture and fixtures from Tampa, Florida, to Jacksonville, Florida, at a rate less than that prescribed by this Commission in the Household Goods Tariff No. 1.
- (2) A violation of Sections 8 and 20 of Chapter 14764, Laws of Florida, Acts of 1931, and of Rule 19 of this Commission, in that you did on or about September 9, 1939, transport from Jacksonville, Florida, to Tampa, Florida, a load of household goods for one H. D. Wainright at a rate less than that prescribed by Florida Household Goods Tariff No. 1.

And further TAKE NOTICE that on Tuesday, February 20, 1940, at 10 o'clock A. M. the Railroad Commission of the State of Florida will be in session at its Hearing Room, SUPREME COURT BUILDING, Tallahassee, Florida, to hear, consider and determine whether or not you are guilty of having violated the law as aforesaid, and if found guilty to then and there consider what penalty shall be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charges.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of December, 1939.

ORDER NO. 1248.

DOCKET NO. 681.

IN RE: APPLICATION OF MOTOR TRANSIT COMPANY, A CORPORATION OF JACKSONVILLE, FLORIDA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A COMMON CARRIER OF PASSENGERS AND LIGHT EXPRESS BETWEEN JACKSONVILLE, FLORIDA, AND THE UNITED STATES NAVAL AIR BASE.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

1. Pursuant to Notice No. 623, dated September 27, 1939, this matter was called for hearing at the Seminole Hotel, Jacksonville, Florida, on Thursday, October 19, 1939. On motion of counsel for the applicant hearing on this matter was postponed until further order of the Commission.

2. Pursuant to Notice No. 626, dated October 28, 1939, this matter was set down for hearing before the Commission at the Roosevelt Hotel, Jacksonville, Florida, and was heard on November 14, 1939.

Sam Kassewitz appeared for the applicant.

Stanton Walker for Camp and Keystone Lines; A. Y. Milam for Florida Motor Lines; McCarthy Crenshaw for L. & L. Freight Lines and Leo P. Kitchen for Moed's Transfer.

3. Upon motion of counsel the applicant amended its application by inserting in Section 14 a rate of twenty (20c) cents per trip. Evidence was introduced in behalf of the applicant by its officers describing the equipment that was proposed to be used and setting forth public convenience and necessity for the operation between the city of Jacksonville, in which the applicant now operates busses, and the United States Naval Air Base now being constructed. The Naval Air Base is on United States Highway No. 17 and/or State Road No. 3. The applicant is now authorized under ordinance and franchise from the City to operate within the city limits of Jacksonville, and the present proposal is to operate from the city limits of Jacksonville at or near Ortega or the old Country Club to the entrance to the Naval Air Base which the applicant estimated to be about three miles. Witnesses for the applicant testified that it had been requested many times by various workmen that work at the Naval Air Base to put on the service; that the contractor had about thirty-six men working at this time but it was expected that there would very soon be a large number of men put to work that would need transportation back and forth between the city of Jacksonville and the Naval Air Base.

4. During the hearing some question arose as to whether or not the territory between the city limits and the United States Naval Air Base was adjoining suburban territory and some testimony was introduced at this hearing which tended to show that this territory was not built up to such an extent as would authorize the Commission to hold the same to be adjoining suburban territory. Other testimony was introduced which tended to show that the fares and charges proposed by the applicant were not satisfactory to those living in this territory.

5. After the hearing was closed, and before the Commission had entered any formal order, on November 25, 1939 Ortega Company, a corporation of Jacksonville, Florida, on its own behalf and as representative of the public residing in Ortega, Ortega Terrace and Venetia, and in the vicinity of said sub-divisions, filed its petition for leave to intervene and also to reopen the hearing for the purpose of offering evidence to show that the residential character of the territory involved makes the area in fact adjoining suburban territory to the city of Jacksonville; and that the rates proposed by the applicant are excessive, unfair and discriminatory in reference to the rates charged on other lines serving adjoining suburban territory to the city of Jacksonville.

6. The Commission considered this petition, and by Order No. 1214, dated November 28, 1939, granted the petition of the Ortega Company to intervene, and reopened this proceeding for further hearing to be held at the Supreme Court Building, Tallahassee, Florida, on Tuesday, December 19, 1939 at 10 o'clock A. M. The hearing was held at that time and in addition to the appearances entered at the previous hearing the following appeared:

W. D. Jones, Jr., and Gilchrist B. Stockton represented the Ortega Company, Intervener.

J. H. Blount for Duval County Board of County Commissioners; F. C. Hillyer for Jacksonville Chamber of Commerce and Naval Air Base Council of Jacksonville, interveners; Robert H. Gamble representing a committee of five appointed by the Board of County Commissioners of Duval County.

7. At the hearing the applicant, through its counsel, filed a motion that it be permitted to abandon and withdraw the application. Objection was entered on the part of the interveners on the theory that the jurisdictional question was now before the Commission and should be decided. Motion to abandon and withdraw the application was taken under advisement by the Commission which stated that it would decide the matter on final hearing.

8. The testimony shows that the interveners had made a thorough investigation of the territory intervening between the city limits of the city of Jacksonville and the Naval Air Base. They presented maps of

this territory indicating that the Ortega Company, which has been engaged in the development of Ortega Terrace since 1925, had highly developed this area and a very fine class of homes in which many prominent citizens of Jacksonville lived had been constructed in this territory, and that some of the finest and most expensive homes in Jacksonville are located in portions of the area now being considered. They further showed that there are now one hundred and ten homes occupied in this area with a great many more under construction and that these homes are occupied by citizens of Jacksonville whose business connections and interests are in the city of Jacksonville. It was further testified that this area has a complete sewer system, is supplied with water and also electric lights and telephones and a large portion of it with concrete sidewalks, and that all of the developed section is paved, and that this area has all the advantages of the city except that the children living in this area attend school within the city limits of Jacksonville and Ortega. The County Engineer also testified that he organized a field party who actually measured the distance from the city limits through the area involved and that the distance on Orange Park road, State Road No. 3, from the city limits of Jacksonville to 104th Street is 1.652 miles; and that the distance from 104th Street to the northern limits of the Naval Station property is 1.03 miles, which makes a total of 2.68 miles which is involved in this territory.

9. Further testimony was introduced by a committee of five local citizens headed by Mr. Robert H. Gamble as Chairman, appointed by the Board of County Commissioners of Duval County, and a copy of their study and survey of the present traffic and transportation facilities and various problems arising out of the establishment of the Naval Air Base was filed with this Commission.

This was an exhaustive report and clearly indicated that this committee had thoroughly gone into this matter. A certified copy of Resolutions adopted by the City Council of the City of Jacksonville was introduced in evidence and these resolutions stated that the City of Jacksonville can, does and will regulate and control all present and future motor transportation facilities operating within the city limits of Jacksonville and in adjoining suburban territory. Resolutions were also presented from the Board of County Commissioners of Duval County stating that the City of Jacksonville is the proper and lawful regulatory body for the regulation and control of all transportation facilities within the city and adjoining suburban territory. Resolutions of the Naval Air Base Council of Jacksonville and of the Board of Governors of the Jacksonville Chamber of Commerce and of the Jacksonville Hotel Association were presented and filed with the Commission.

10. The Commission has carefully considered all of the evidence introduced in this cause, both by the applicant, the protestants and interveners, and finds:

- (a) That the area involved in the application between the city limits of Jacksonville and the United States Naval Air Base area, which is a distance of 2.68 miles is highly developed territory and is adjoining suburban territory to the City of Jacksonville.
- (b) That the business of carriage between the City of Jacksonville and the Naval Air Base will and should be regulated by the legislative body of the City of Jacksonville.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the territory over which the applicant desires to operate is adjoining suburban territory to the City of Jacksonville and therefore the operation of motor vehicles within said territory is exempt from jurisdiction and control of this Commission and this Commission has no power to grant the authority asked for in the application, and the application is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 27th day of December, 1939.

**Report of
Special Counsel**

REPORT OF SPECIAL COUNSEL TO THE FLORIDA RAILROAD COMMISSION FOR THE YEAR 1939

Counsel for the Railroad Commission employed under the provision of Section 6733 of the Compiled General Laws of Florida, submits the following report for the year 1939.

INTERSTATE COMMERCE CASES

1. Class Rates Within Southern Territory.

On October 1, 1936, the Florida Railroad Commission filed its petition praying the Interstate Commerce Commission to institute an investigation into the Class Rates within Southern Territory, and that an order be issued requiring the establishment of just and reasonable class rates within said territory.

This petition was supplemental to a petition filed by the Joint Conference of Southern State Commissioners and Shippers of which the Florida Railroad Commission is a member.

The present Class Freight rates applicable in Southern territory are the result of investigation and decision of the Interstate Commerce Commission in Southern Class Rate Investigation, Docket No. 13494, and shown in both the original and supplemental reports of the Interstate Commerce Commission and cited and reported in 100 I. C. C. 513; 109 I. C. C. 300; 113 I. C. C. 200 and 128 I. C. C. 567.

This investigation was commenced in 1920 and occupied several years during which economic conditions were unusual and the country was enjoying a period of prosperity greater than has existed since the rates became effective, and prices of commodities at that time were upon a much higher level than at the present time.

Southern territory, as the term was used in the original report in Southern Class Rate Investigation (100 I. C. C. 513), was stated to be roughly the territory east of the Mississippi River and south of the Ohio River and the line of the Norfolk and Western from Bristol, Tennessee-Virginia, to Norfolk, Virginia. It did not include the east corner of Kentucky served by the Chesapeake & Ohio.

For the purpose of the instant proceeding the Interstate Commerce Commission was asked to define Southern territory as:

"that territory beginning at Norfolk, Virginia, (including Newport News, Virginia, and other points in the Hampton Roads area) then following in line of the Virginia Railway to Roanoke,

Virginia; the the line of the Norfolk & Western Railway to Kenova, West Virginia (including St. Paul, Virginia. and Bristol, - plicitly what broadening is desired and why, or giving reasons why it should not be broadened but confined within the limits above indicated."

This Commission filed its statement with the Interstate Commerce Commission prior to December 12, 1936, and contended that the issues should not be broadened but should be confined within the limits indicated in its petition.

Further proceedings in this matter were postponed for a time but preparations are now being made for a full investigation into the reasonableness of the Class Rates within Southern Territory.

2. Finance Docket No. 12174.—Application of H. D. Pollard as Receiver of Central of Georgia Railway for Permission to Abandon a Spur Track Extending From Florala, Alabama, to Lakewood, Florida.

On September 21st, 1938, H. D. Pollard as receiver of the Central of Georgia Railway filed its application for a Certificate of Public Convenience and Necessity authorizing the abandonment of a spur track from Florala, Alabama, to Lakewood, Florida. This track runs from Florala, Alabama, to Lakewood, Florida, a distance of 2.67 miles. About one-half mile is in Covington County, Alabama, and the rest is in Walton County, Florida.

At the request of shippers, and especially the Britton Lumber Company of Lakewood, the Railroad Commission requested a hearing in this proceeding. In response to this request a hearing was originally set for November 25th, 1938 at the Federal Building, Brewton, Alabama.

The Railroad Commission appeared in the proceeding but before the date of the hearing the case was settled by agreement between the Railroad Company and the shippers involved and the hearing was cancelled.

LAW CASES

1. L. & L. Freight Lines, Inc., vs. Railroad Commission. Circuit Court Second Judicial Circuit of Florida for Leon County. Judge Love. Injunction.

On March 31, 1936 bill of complaint was filed by L. & L. Freight Lines, Inc., against the Railroad Commission of the State of Florida in the Second Judicial Circuit in and for Leon County before Hon. E. C. Love, one of the Judges of said Circuit Court, seeking an injunction to

prevent the arrest of its drivers and any interference with the operation of its trucks so long as they were engaged in interstate commerce.

Answer of defendants was filed and the matter was fully argued before the Judge of said Court, and on April 4, 1936 an order was entered denying the application for temporary restraining order with prejudice to plaintiff filing amendment to its bill of complaint and renewing its application for temporary restraining order. Thereupon amendment to bill of complaint was filed on April 15, 1936 and answer to amendment to bill of complaint was filed by defendants on same date, and the matter was fully argued before the Judge of said Court who entered his order on the same date denying said temporary restraining order.

In this proceeding all of the orders of the Interstate Commerce Commission extending the effective date of the Federal Motor Carrier Act of 1935 from October 1st to 15th, 1935 were fully argued, the plaintiff claiming a Federal right to operate under said order over the highways of the State, and defendants claiming that the order of September 30, 1935, extending the effective date of said Act, had been properly construed by Judge A. V. Long of the Federal District Court as a mere administrative order made for the purpose of permitting those who were then operating further time within which to file their applications, and did not confer further rights upon carriers who were not operating prior to October 1, 1935. That if said order was construed as conferring rights upon carriers not engaged in interstate commerce on October 1, 1935, the effective date of the order, the matter would be legislative and not administrative, and any attempt to confer this power upon the Interstate Commerce Commission would be an unconstitutional delegation of power and would render Section 227 of the Federal Motor Carrier Act of 1935 void.

The Judge of the Circuit Court, in his order denying said temporary restraining order, said:

"* * * and it appearing to the Court that the legal principles involved in said application for temporary restraining order have heretofore been passed upon and decided adversely to the complainant's contention in a case involving the same parties before the United States District Court for the Northern District of Florida, and also before Hon. John B. Johnson, one of the judges of the Circuit Court for the Second Judicial Circuit of Florida; and further that such opinions emanating from said Courts are sufficient to generate at least a doubt as to the legal rights of complainant to engage in interstate commerce traffic on the highways of the State of Florida, and along the routes proposed by said complainant."

Thereupon, L. & L. Freight Lines, Inc., took an appeal to the Supreme Court of Florida from the interlocutory order denying application for restraining order entered by the Judge of the Circuit Court on April 15, 1936, and applied for constitutional writ in aid of and incidental to the appeal.

On May 20, 1936 the Supreme Court, by virtue of the power conferred on it by Section 5 of Article V of the Constitution of the State to "issue all writs necessary or proper to the complete exercise of its jurisdiction," granted a modified constitutional writ of injunction pending final hearing on this appeal.

This cause was fully briefed and argued before the Supreme Court of Florida, and on June 26, 1936 the Supreme Court dissolved the constitutional writ entered by it and affirmed the order of the lower Court denying the temporary restraining order. Rehearing was denied on July 16, 1936 and the constitutional writ was dissolved.

The Court in this case held in effect that Congress vested in the Interstate Commerce Commission, by the passage of the Federal Motor Carrier Act 1935, the ultimate authority to investigate and decide which motor carriers have brought themselves within the scope of the protective provisions of the Act insofar as the Federal statute or particular operations appear to be in controversy and require decision upon such statute as a condition to carrier's continuance of operation in interstate commerce. The Court also held that pending findings of fact by the Interstate Commerce Commission on the issue involved in an application of the State and Federal Courts to protect by injunctive relief temporary for Certificate of Public Convenience and Necessity it is the duty benefits conferred by the Act.

L. & L. FREIGHT LINES vs. DOUGLAS, 169 SO. 370; 124 FLA. 696.

Plaintiff, L. & L. Freight Lines, thereupon filed its second amendment to its bill of complaint stating that its application before the Interstate Commerce Commission for a Certificate of Public Convenience and Necessity was being advanced and an early hearing would be had on the same, and alleging that it was the purpose of the inspectors of the Railroad Commission to arrest plaintiff's drivers and attempt to stop the movement of its motor vehicles in interstate commerce, and the Judge of the Circuit Court, without notice to defendants, entered an order dated July 27, 1936 granting a temporary restraining order in this matter.

This matter is now on final hearing and testimony has been taken of some witnesses but not yet completed.

Hearing before the Interstate Commerce Commission was held at Tallahassee, Florida, beginning September 28, 1936 and concluded October 8, 1936.

On June 14, 1937 Examiner W. W. McCaslin made his report and proposed order recommending the denial of this service between Atlanta, Georgia, and Tampa, Florida, and favored the granting of the application for service in interstate commerce between Atlanta, Georgia, and Tallahassee, Florida, via Americus, Albany, and Thomasville, and also between Tallahassee and Live Oak, Florida, and also between Tallahassee and Marianna, Florida.

Exceptions were filed to this order and argument has been had before the Commission but no order has as yet been entered.

2. **State ex rel Five Transportation Company et al., vs. J. M. Lee as Comptroller of the State of Florida—Before the Supreme Court. Mandamus.**

On August 17, 1937 certain common and contract carriers by motor vehicle filed their petition for Writ of Mandamus against Mr. Lee as Comptroller to compel him to accept the mileage taxes tendered by the relators covering the miles traveled "for compensation." The purpose of this suit was to have the Supreme Court construe that part of Chapter 18026, Acts of 1937, which applied to the method of payment of the mileage taxes. The old Act provided for the payment of mileage taxes

"for every mile traveled by the motor vehicles of such auto transportation company over the public highways of this State", and the new Act provided

"for every mile traveled **for compensation** by the motor vehicles of such auto transportation company over the public highways of this State."

Counsel for the Railroad Commission represented Mr. Lee, the respondent herein.

On October 4, 1937 counsel for respondent filed a Motion to Quash the Petition and also filed an Answer and Return to the Petition for Writ of Mandamus.

This matter was briefed and argued before the Court and on January 5, 1938, the Court entered its opinion granting the Motion to Quash the Alternative Writ. (132 Fla. 183; 181 So. 179.)

On April 28, 1938, on petition for rehearing, the Court granted said petition on the theory that a demurrer to the answer and return of

respondent being on file when the Motion to Quash was granted the order granting the Motion and quashing the Alternative Writ should be vacated and the relators given twenty days in which to file such plea as they desired.

Relators thereupon filed a joinder of issue and the Court appointed a Commissioner to take testimony.

Testimony in the case was taken before the Commissioner and reported to the Court. Briefs were filed by both parties and the matter was orally argued before the Court.

On July 25th, 1939, the Court entered its opinion holding that the allegations of the answer were sufficient and supported by the evidence taken and on authority of its former opinion the Alternative Writ was quashed. (..... Fla.).....; 191 So. 10).

In its former opinion the Court held that the mileage tax levied by the statute upon auto transportation companies is a license tax imposed upon the business of transportation for compensation on public roads of the State. Where trucks are operated over routes and upon schedules and applying rates approved by the Railroad Commission such trucks are used in the business of transportation for compensation within the statute imposing mileage taxes for every mile traveled for compensation by motor vehicles regardless of whether the trucks carried a full load, a part load, or no load.

The two opinions filed in this case are reported as follows:

132 Fla. 183; 181 So. 179

..... Fla.; 191 So. 10

3. State ex rei National Trucking Company vs. J. M. Lee as Comptroller of the State of Florida. Supreme Court of Florida. Mandamus.

This is a mileage tax case similar to the above mentioned cause of Five Transportation Company et al., and similar proceedings have been had in it.

The principal difference between this case and the Five Transportation Company case is that the relator in this case is a contract carrier while the relators in the other case were both common and contract carriers.

In its first opinion (132 Fla. 533; 181 So. 182) the Court held that although the Railroad Commission does not establish either routes or schedules for contract carriers it does require the carrier to file its rates for the approval of the Commission. It further held that when a con-

tract carrier contracts to convey merchandise from one point to another he must necessarily when figuring the prices and terms of his contract take into consideration the fact that his motor vehicles will in all probability carry a load but one way and the expense of the one way empty must be included as a part of the basis upon which his compensation is fixed.

Upon rehearing on the evidence taken by the Court commissioner the Court in its opinion held that the Railroad Commission although not authorized by statute to fix rates of contract carriers may require contract carriers to submit their rates to the Commission for its approval.

Alternative Writ of Mandamus quashed. (191 So. 17)

Rehearing denied on September 25th, 1939.

4. Railroad Commission of the State of Florida vs. L. R. Powell, Jr., and Henry W. Anderson, Receivers of Seaboard Air Line Railway Company. Supreme Court of the United States. Petition for Writ of Certiorari.

On November 7, 1938, the receivers of the Seaboard Air Line Railway Company brought its petition in the Federal District Court for the Southern District of Florida praying for an injunction to restrain the enforcement against them of an order promulgated by the Railroad Commission. The order complained of required that no dining car should be operated by any railroad in the State of Florida unless the same was continuously in charge of an employee or authorized agent having the rank and position of dining car steward.

The District Court for the Southern District of Florida allowed the filing of the petition, not as a separate cause of action but as a part of the receivership proceedings. The matter was heard before the Judge of the District Court on November 19, 1938, after the Court had overruled a motion of the Florida Railroad Commission presented after special appearance on the ground that the Southern District of Florida had no jurisdiction over the persons of the members of the Florida Railroad Commission. The Court then proceeded after a short hearing to enter a permanent injunction enjoining the members of the Railroad Commission from enforcing the order complained of against the receivers of the Seaboard Air Line Railway.

Appeal to the Circuit Court of Appeals was entered on December 30, 1938 and the Circuit Court of Appeals by a divided Court on June 13, 1939, handed down its opinion affirming the lower Court. Judge Hutcheson dissented.

Carter vs. Powell, 104 F. (2) 428

The principal question involved in this case was whether or not the District Court obtained proper jurisdiction over the persons of the members of the Railroad Commission by haling them into Court by summary order or an order to "show cause," when no summons, as provided by the rule, was issued and served on them. The Circuit Court of Appeals held in effect that under Rule 12 of the Rules of Civil Procedure, a defendant appearing specially, not to a summons under the rules, but to a "show cause" order and only to contest personal jurisdiction over him, no matter how carefully he makes that intention clear, must be held to have appeared generally, so as to support an **in personam** judgment on the merits against him. It also held that appeals under Rule 73-B, required precision and accuracy of such a high order in bringing matters up for review, that an appellant, though he has been adjudicated without process or appearance, may not seek a reversal on those grounds, unless he has made and preserved them with technical accuracy both below and on appeal.

Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit was filed in the Supreme Court of the United States on October 3, 1939, and docketed as No. 438.

On November 13, 1939, Petition for Writ of Certiorari was denied by the United States Supreme Court.

Carter et al vs. Powell et al, 84 L. Ed. 134

5. E. M. Fry vs. Florida Railroad Commission. Circuit Court, Marion County and Supreme Court of Florida. Injunction.

E. M. Fry on June 11, 1937 filed his Bill of Complaint against John L. Travis, the Inspector of the Railroad Commission located at Ocala, Florida, and against the members of the Commission to restrain any interference over the hauling by Fry of power transformers belonging to the Florida Power Corporation. Several days previous to the filing of the Bill, Fry had been arrested by the Inspector for the Commission for transporting from a point near Brooksville, Florida, to Ocala, Florida, a transformer for the Florida Power Corporation without any authority from the Railroad Commission to haul for compensation.

The Bill of Complaint was brought on the theory that the Railroad Commission has no jurisdiction over hauling that is only incidental to other labor performed for the owner of the goods hauled. Many facts were alleged to show that the principle labor performed by Fry on the occasion of his arrest was that of unhooking the transformer from its station on the power line and loading it on the truck for transportation

and that Fry performs other work of a similar nature for the Florida Power Corporation, each job being performed under separate contract.

A restraining Order was issued by the Circuit Court and on June 26 the Railroad Commission filed its answer, a motion to dismiss, and a motion to dissolve the injunction. After a hearing on the motion to dismiss the Circuit Court denied the same and on July 28, 1937, a final hearing on the merits was held and testimony was taken before the Circuit Judge. The testimony substantiated the allegations of the Bill and showed that while compensation was received by Fry for the hauling done it was only a minor part of the total amount received under the contract which included the hauling. A final decree was entered August 4, enjoining and restraining the Commission from interfering with the hauling of Fry of power transformers belonging to the Florida Power Corporation so long as such hauling was a part of and incidental to contracts for services which included working other than hauling.

The Commission filed Notice of Appeal assigning as errors the entry of the permanent injunction and the failure of the Circuit Court to dismiss the Bill of Complaint.

Briefs were filed and the case was orally argued before the Court and on July 28, 1939, the Court entered its opinion reversing the lower Court.

The Supreme Court held that in determining whether a person is engaged in transporting property for hire within the meaning of the Motor Transportation Act it is immaterial whether under contract involving both hauling and other work, compensation received for the actual hauling is more or less than that received for the other work.

This case is reported as **Travis et al vs. Fry, 190 So. 793.**

6. J. H. Wimberly, Trading and Doing Business as Wimberly Transfer Company, vs. Florida Railroad Commission. Circuit Court, Duval County, Florida. Injunction.

On June 26, 1937, J. H. Wimberly doing business as Wimberly Transfer Company filed his Bill of Complaint in the Circuit Court for Duval County, Florida against the members of the Railroad Commission and its Inspectors seeking an injunction to restrain interference with the operation of his motor trucks in hauling for compensation in interstate commerce between points in Georgia and into Jacksonville, Florida. Plaintiff alleged that he was engaged in interstate commerce prior to June 1, 1935, had filed a proper application for a Certificate of Public Convenience and Necessity before the Interstate Commerce Commission,

and was entitled to "Grandfather" rights under the Federal Motor Carrier Act of 1935; and that, therefore, he was entitled to operate as a matter of right in Florida until such time as his rights under the Federal Motor Carrier Act could be determined by the Interstate Commerce Commission.

A Preliminary Restraining Order was entered upon the filing of the Bill, enjoining and restraining the members of the Railroad Commission and their Inspectors from interfering with the operations of the Plaintiff so long as the same were conducted exclusively in interstate commerce and not in conflict with the tax laws of the State of Florida or the laws with respect to the length, width, size, and weight of motor vehicles.

On July 2, 1937, the Railroad Commission filed its Motion to Dismiss the Bill, Motion to dissolve the Injunction, and its answer alleging that the Plaintiff was not entitled to "Grandfather" rights under the Federal Motor Carrier Act because it was not in bona fide operation on or before June 1, 1935, since it had never made application to or received from the Florida Railroad Commission any authority to engage in interstate commerce over the highways of this State and any operation that the Plaintiff had conducted prior to said date were in violation of the Laws of the State of Florida.

After hearing and argument by Counsel on July 24, the Circuit Judge entered an Injunction against the Florida Railroad Commission, holding that the alleged "Grandfather" rights of the Plaintiff were entitled to be protected until finally determined by the Interstate Commerce Commission.

No further proceedings have been had in this case and the same is pending the final outcome of the Interstate Commerce Commission Application of the Plaintiff.

**7. State of Florida, vs. Georgia Southern & Florida Railway Company.
Duval Circuit Court. Injunction.**

The G. S. & F. Railway Company owns and operates a line of railroad from Valdosta, Georgia, to Palatka, Florida. This line is approximately 133 miles in length with 18 miles lying in Georgia and 115 miles within the State of Florida. For many years this railroad operated a daily mixed train service over its line of railroad.

On July 27th, 1938, this road filed with the Railroad Commission an application to permit it to substitute a modified service on its line of railroad, that is to say, it desired to operate a three day a week service, Sunday excepted. This application was dismissed by the Railroad Commission on the ground that Section 6707, Compiled General

Laws of Florida, only permitted the Railroad Commission to allow one mixed train each way daily except Sunday, and since the rail line was operating this minimum service the Commission could not grant the relief prayed in the petition. The rail line thereupon wrote a letter to the Commission that on August 22, 1938 it proposed to substitute this modified three days a week service.

Bill of complaint was thereupon filed in the Circuit Court in and for Duval County to restrain the Railroad Company from inaugurating this service. Answer was filed and a hearing had before the Judge of the Circuit Court of Duval County. On September 29, 1938, the Court entered its order dismissing the bill of complaint denying the relief prayed for and held that in this particular case Section 6707 was unconstitutional in that it violated the rights of the railroad reserved to it under the Fourteenth Amendment to the Constitution of the United States and deprived it of property without due process of law in violation of its rights and in violation of the rights under Section 12 of the Declaration of Rights of the Constitution of Florida.

On October 15, 1938, the State of Florida, acting through the Railroad Commission, the plaintiff in this cause, filed its notice of entry of appeal to the Supreme Court of Florida.

On July 7, 1939 the Supreme Court of Florida reversed the lower Court holding that where permission is sought by a rail carrier to reduce the number of daily trains operated by it because of the diminished revenue receipts earned by such line, the reasonable needs of the public are to be first considered, and all the revenue receipts, interstate and intrastate, should be considered in determining, not whether the line is self sustaining, but whether the financial burden of the line exceeds the needs of the public to a continuance of the service, and so reduces the revenue of the company's entire system as to be a deprivation or taking of the property of the company without due process and without just compensation, so as to unduly burden the interstate commerce transportation service of the company.

Before the opinion of the Supreme Court had been handed down the legislature of the State of Florida adopted Chapter 19177, Acts of 1939, amending Section 6707, Compiled General Laws of Florida, so as to give the Railroad Commission the authority to determine what the public need requires in the way of daily service over rail lines.

On petition for rehearing in this case the Court held that its judgment entered on July 7, 1939 should be without prejudice to the rail line making an application to the Railroad Commission for relief under Chapter 19177, Acts of 1939.

This case is reported as *State vs. G. S. & F. Ry. Co.* 190 So. 527.

8. State ex rel Sanders, vs. Ramsey, Sheriff. Original Proceeding in Habeas Corpus. Supreme Court of Florida.

The petitioner in this case, B. M. Sanders, was arrested on August 5, 1938, by both an Inspector of the Florida Railroad Commission and a representative of the Motor Vehicle Commission of the State of Florida. He was charged with operating a truck in the transportation of raw unshelled peanuts from a dealer in Virginia to a dealer in Tampa, Florida, for compensation without having secured a Florida "For Hire" license tag and without having secured from the Railroad Commission any authority to haul these products for compensation.

A preliminary hearing was held on August 22, 1938 before Honorable B. D. Hiers, County Judge of Alachua County, in whose jurisdiction the arrest took place, and the facts concerning the transportation were agreed upon and stated in a commitment issued by the County Judge under which the petitioner was held for trial.

Immediately thereafter the petitioner secured a Writ of Habeas Corpus from the Supreme Court of Florida directed to the Sheriff of Alachua County. The petition was concerned only with the charge that the petitioner was violating the Motor Transportation Act, Chapter 14764, Laws of Florida, 1931, which the Railroad Commission is charged with enforcing. The contention of the petitioner was that he could not be required to operate under a "For Hire" license tag and, therefore, did not come under the jurisdiction of the Railroad Commission.

Since the case involved an interpretation of both the Motor Vehicle Licensing laws and the Motor Transportation Act, the Attorney General of Florida has assisted Counsel for the Railroad Commission in representing the respondent before the Supreme Court.

On May 5, 1939 the Supreme Court handed down its opinion in this case holding that this kind of operation is not exempt under Section 30 of Chapter 14764, as amended, since it was not performed between point of production, primary manufacture and shipping, and that this exemption could not apply in this case because there is nothing to show that the transportation was casual or irregular or that petitioner was not engaged in business for hire.

This case is reported as State ex rel Sanders vs. Ramsey, Sheriff, 137 Fla. 548; 189 So. 39

9. **E. W. Meyer, Doing Business as Southern Brokerage Company, vs. Railroad Commission. Injunction. Circuit Court, Broward County, Fla.**

On January 17, 1939, the plaintiff in this suit sought an injunction against the Railroad Commission to restrain it from interfering with and assuming jurisdiction over the plaintiff's business of transporting milk and dairy products from points up north into Miami, Florida. The plaintiff was engaged in hauling the products of the June Dairy Products Company, Inc. and Crowley's Milk Company, who are wholesale and retail dealers in milk products.

The plaintiff was engaged in transporting northbound certain farm products which were exempt from regulation and on his southbound trips into Miami, Florida, executed a "lease" of his vehicles to the dairy companies whose products were being hauled.

The theory of the bill of complaint was that under the terms of the lease arrangement the milk companies were operating their own trucks in the transportation of their own products so that there was no hauling for hire or compensation within the terms of the Transportation Act.

On January 17th hearing was held before Circuit Judge George W. Tedder in Fort Lauderdale on the plaintiff's application for a temporary restraining order. This application was informally denied and counsel were requested to file briefs. After the filing of briefs the matter was further argued before the Court on January 26th on the motion of counsel for the Railroad Commission to dismiss the bill of complaint. The substance of this motion was that the purported leases were mere contracts for transportation and that the plaintiff was engaged in contract hauling.

The Court granted the motion to dismiss with leave to amend within ten days. No amended bill was filed, so the case was dismissed.

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10. **Seaboard Air Line Railway Company vs. Railroad Commission and H. T. Pace. On Petition for Rehearing, Supreme Court of Florida.**

This was an old case arising in 1930 under an application of H. T. Pace to operate common carrier truck service between Jacksonville and Tallahassee. The case was taken to the Supreme Court and decided against the Truck Company.

See—S. A. L. Ry. Co. vs. Wells, 100 Fla. 1631 131 So. 777 (Decided June 8, 1931)

On December 10, 1938, H. T. Pace filed a petition with the Supreme Court seeking to set aside the opinion and order of the Supreme Court cited above. Motion was filed to dismiss the petition on the ground that the order of the Supreme Court has become final and no longer subject to reopening. On January 12, 1939, the Supreme Court entered its order denying the petition.

11. St. Andrews Bay Transportation Company vs. Railroad Commission. Certiorari, Supreme Court of Florida.

This was an original proceeding in certiorari in which the Supreme Court reviewed certain orders granting a Certificate of Public Convenience and Necessity to the Receivers of the Alabama & Western Florida Railroad Company and approving the transfer of that certificate to the West Florida Transportation Company. The petitioner has made application for the same service and its application had been denied by the Commission.

During August 1937 the Receivers of Alabama & Western Florida Railroad Company filed their application to transport by motor vehicle passengers and freight from the Alabama-Florida State line through Graceville, Chipley and Southport to Panama City. They also operate a line of railroad paralleling part of the route named. Hearing was held on this application and it was protested by the petitioner in this case. The Commission by its Order No. 1050 dated December 16, 1937 granted the application of the receivers but service was not instituted until about January 4, 1939, when the Certificate of Public Convenience and Necessity was formally issued to the receivers of the railroad. On January 14, 1939, the receivers of the railroad applied for the approval of the transfer of the certificate to the West Florida Transportation Company and after formal public hearing at which the St. Andrews Bay Transportation Company appeared as a protestant the transfer of the certificate was approved on April 1, 1939 by Order No. 1141.

In this case the petitioner contended that the Railroad Commission did not have the authority to extend the time for the taking effect of the granting of the certificate and that the certificate and its assignments were defective in other particulars. Application was made for a constitutional writ and set for hearing before the Supreme Court on May 23, 1939. This application was not formally argued because counsel agreed to file briefs and submit the case on the application for Writ of Certiorari.

Briefs were filed and on June 14, 1939 the petition for the writ was orally argued before the Supreme Court and on the same day the Court

ordered that the petition be denied. Thereafter petition for rehearing was filed by the petitioner and on August 1, 1939 the Court entered an opinion denying the writ on the ground that the matters complained of were within the powers of the Railroad Commission; that the granting of extensions and additional time within which to comply with the law and the rules governing the issuance of certificates of public convenience and necessity were discretionary with the Commission; and that the petitioner could not be heard to complain since the granting of the certificate to the receivers of the railroad was in effect a denial of the application of the St. Andrews Bay Transportation Company.

This case is reported as *St. Andrews Bay Transportation Company vs. Carter*, 190 So. 788.

12. Petroleum Carrier Corporation vs. Lee, Comptroller. Injunction. Circuit Court, Leon County, Fla.

This case involved questions similar to those decided by the Supreme Court of Florida in the cases of *State ex rel Five Transportation Company vs. Lee* and *State ex rel National Trucking Company vs. Lee*. (See—Cases Nos. 2 and 3 reported above)

The Petroleum Carrier Corporation, engaged in the transportation of petroleum products as a private contract carrier between certain points in Georgia and Florida, filed its bill of complaint on May 4, 1939 in the Circuit Court for Leon County, Florida, and on the same date secured a temporary injunction against the Comptroller of the State of Florida restraining him from demanding mileage taxes required to be paid under the Motor Transportation Act for vehicles operated empty and carrying no pay load. The injunction also provided that the payment of the disputed empty mileage tax should be paid into the registry of the Court to be held pending the outcome of the case. The bill of complaint was predicated on the theory that the laws of this State did not require the payment of the tax on empty movements, and also on the theory that the collection of the taxes on the empty movement of interstate vehicles was an unlawful burden on interstate commerce.

Motion to dismiss the bill of complaint was filed by counsel for the Railroad Commission, and on December 18, 1939, this motion was orally argued before Circuit Judge J. B. Johnson. The motion was granted and the case was dismissed on the authority of the *Five Transportation Company* and *National Trucking Company* cases cited above, and on the further ground that the interstate transportation was subject to the mileage tax on empty movements the same as that moving intrastate.

13. Parrish vs. Railroad Commission. Certiorari. Supreme Court of Florida.

This was an original proceeding in Certiorari before the Supreme Court of Florida to review an order of the Railroad Commission reducing the rate on crushed stone by rail from Haile and from Roxspur, Florida, to Jasper, Florida. The Atlantic Coast Line Railroad Company applied to the Railroad Commission for a reduction in these rates and for relief from the Long and Short Haul Law (Section 6730, Compiled General Laws of 1927) so that the same rate (70c per ton on crushed stone) could be charged from Roxspur as was charged from Haile, although Roxspur was an intermediate point on the line between Haile and Jasper. Petitioner opposed the application on the ground that its shipments from Roxspur should enjoy a rate less in proportion to the shorter distance from Roxspur to the destination point under the statute cited.

The Railroad Commission held a formal hearing on the application on April 27, 1939, and on April 28, 1939 entered its Order No. 1295 approving the application of the Coast Line and granting relief from the Long and Short Haul rule on the theory that the facts in this particular case justified granting the relief as a special case. The petitioner contended in its application for Certiorari that the facts of the case did not justify an exception from the Long and Short Haul rule.

Application was made for a Constitutional Writ to prevent the immediate taking effect of the rates approved by the Commission but decision on this was postponed until final hearing on the merits. Briefs were filed and the case was orally argued by counsel on June 14, 1939. On that date the Court entered an order denying the petition for Certiorari to review the findings and order of the Railroad Commission.

Petition for rehearing was filed by the petitioners and on August 1, 1939, the Court entered its opinion denying the petition for rehearing and holding the Commission's order valid and within its authority to make under the Long and Short Haul Law.

The opinion in this case is reported in 190 So. 769.

14. Railroad Commission vs. Produce Truckers, Inc. and A. H. Malcom. Circuit Court Orange County—Injunction.

Bill for injunction was filed by the Railroad Commission on October 13, 1939 in the Circuit Court of Orange County vs. Produce Truckers, Inc. and A. H. Malcom. The bill alleged that the defendants were operating motor trucks in violation of the Motor Transportation Act by

hauling grain and feed products for compensation without any certificate or permit from the Railroad Commission. It was further alleged that the defendants bought the products hauled from the consignors and sold them to the consignees, thus owning them only in transit, and that under such circumstances the defendants could not claim the benefit of the exemption in favor of those who haul their own goods in their own vehicles.

The Commission asked for a temporary injunction and the same was granted after hearing before Circuit Judge Frank A. Smith on October 23rd. Thereafter the defendants failed to answer and allowed the case to go by default and on January 4, 1940 a permanent injunction was entered against the defendants restraining them

"from using their motor vehicles in the transportation of any grain or feed for compensation over the public highways of the State of Florida, including any grain or feed of which they are the owners only during the course of transportation and for the handling, distribution, resale or transportation thereof any compensation or consideration is received whether as sales profit, brokerage fee or otherwise, until proper authority for such hauling is received from the Florida Railroad Commission."

The foregoing is a brief resume of the more important cases participated in and handled by your counsel before the Interstate Commerce Commission and the law Courts. This report gives no consideration to the many hearings before the Commission which counsel attend, nor to the volume of correspondence incident to their duties, nor to the number of opinions they are called upon to render and write upon various phases of the regulatory law.

For the convenience of the Commission, and of those who appear before it in various cases an appendix is attached hereto listing the more important cases in which the motor vehicles statute has been construed by the Courts with a short statement of the holding of the Courts in each case.

Respectfully submitted,

THEO. T. TURNBULL,
Counsel.

WM. P. SIMMONS, JR.,
Assistant Counsel.

**SPECIAL COUNCIL, APPENDIX TO REPORT OF
Decisions Interpreting Florida Motor Transportation Laws**

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Cahoon vs. Smith, 99 Fla. 1174; 128 So. 632. Decided May 21, 1930.

Smith, the owner and operator of two motor vehicles used to transport goods under private contract for compensation on the public highways between fixed termini and over regular routes, was arrested for failure to apply for and secure a Certificate of Public Convenience and Necessity and conform to the other requirements of Chapter 13,700, Acts of 1929. He brought habeas corpus and the circuit Court for Duval County held the Act unconstitutional as applied to such carriers. This was reversed on appeal, the Supreme Court holding:

1. Chapter 13,700, Acts of 1929, not invalid as to title.
2. The mileage tax imposed, not invalid because a "toll" for the use of public highways, but is a valid "license" upon the business of transporting for compensation. (Sec. 14, Ch. 13,700, Acts of 1929.)
3. The exemptions in the Act are not arbitrary, unreasonable, or unlawfully discriminatory. (Id. Sec. 1.)
4. The Act does not require private carriers to assume common carrier functions and liabilities, the provisions applicable to private carriers for compensation are separable. (Id.)

(This case reversed by the Supreme Court of the United States. See Smith vs. Cahoon below.)

Smith vs. Cahoon, 283 U. S. 555; 75 L. Ed. 1264. Decided May 25, 1931.

Appeal from the decision of the Supreme Court of Florida in the case of Cahoon vs. Smith, 99 Fla. 1174, 128 So. 632, which upheld the constitutionality of Chapter 13,700, Laws of Florida, Acts of 1929, as applied to private contract carriers for compensation. HELD: Florida Supreme Court reversed; statute invalid as to applicant:

1. The statute purports to require such private carriers to assume the duties and liabilities of common carriers, there being no distinction between the two on the face of this statute and the imposition of such obligations on private carriers being beyond the power of the State. (Ch. 13,700, Acts of 1929.)
2. The statute is void for uncertainty because not expressly distinguishing the provisions legally applicable to private carriers from those applicable to common carriers. (Id.)
3. The Act is void because of discrimination in favor of certain private carriers who are exempted, (as against others engaged in like transportation) the classification not being based on anything related to public safety on the highway. (Id.)

Florida Motor Lines vs. Railroad Commissioners, 100 Fla. 538; 129 So. 876. Decided August 4, 1930.

After hearing, Commission granted Georgia-Florida Motor Lines authority to substitute four 25-passenger busses for the five 7-passenger sedans it had been operating under its "grandfather" certificate. Florida Motor Lines objected on the ground that it was operating in the territory involved (Jacksonville to Miami) and was allowed under its certificate sufficient equipment to take care of twice the number of passengers using bus service, and no public convenience and necessity had been shown by applicant. Relief is sought by certiorari.

HELD: Order of Commission quashed:

1. Under Chapter 13,700, Acts of 1929, application for substitution of busses as here was in nature of application for new service, and others already rendering similar service should be considered, and the law contemplates consideration of their rights and privilege where they will be materially injured. Commission did not give due consideration to the statutory privileges of petitioner or to the rights of the public to exclude unnecessary vehicles from operating for hire over the highways. (Sec. 3, Ch. 13,700, Acts of 1929.)

2. Writ of certiorari is proper method of appeal from quasijudicial or judicial orders of Railroad Commission, the ultimate adjudication being to quash the judgment or order reviewed or to quash the writ of certiorari.

3. Administrative, ministerial and judicial functions of Railroad Commission upheld as constitutional and not being among those "powers of government" which must be separately administered by the three main departments.

Seaboard Air Line Railway Company vs. Wells, 100 Fla. 1027, 130 So. 587. Decided October 28, 1930.

Commission granted Union Bus Company authority to inaugurate night schedule between Jacksonville and Marianna without considering the effect on existing rail service. The Railway company brings certiorari.

HELD: Order of Commission quashed because due consideration not given to existing rail service.

1. The provision in Chapter 13,700, Acts of 1929, providing that in granting an application for a certificate the Commission "may take into consideration" certain elements including the effect it may have "upon other transportation facilities within the territory" means such consideration **MUST** be given since the proceedings are for the public benefit,

and rail service is among the facilities to be considered. (Sec. 3, Ch. 13,700, Acts of 1929.)

2. The word "necessity" as used in the statute does not mean an absolute and indispensable necessity, but one reasonably necessary to meet the public needs. Public convenience and necessity must to a large extent depend on facts of each case. (Id. Sec. 2.)

3. Certiorari is the proper remedy (Citing Fla. Motor Lines vs. Railroad Commissioners, 100 Fla. 538; 129 So. 876.)

In re Edwards, 100 Fla. 989; 130 So. 615. Decided October 22, 1930.

About a year after April 19, 1929 ("Grandfather date" in Chapter 13,700, Acts of 1929) Edwards applied for and was denied by the Commission a certificate, claimed as a matter of right, to operate a truck service between Haines City and Orlando. On certiorari to review Commission order.

HELD: Certiorari denied:

1. "Grandfather" privilege was not exercised within a reasonable time. (Sec. 3, Ch. 13,700, Acts of 1929.)

2. Petition for Writ of Certiorari must set forth the substance of the evidence if it is to be relied upon in any way to show the invalidity of a Commission order based upon it—mere setting forth the order with the statement that it was unsupported by the evidence is insufficient, being a conclusion of the pleader.

Seaboard Air Line Railway Company vs. Wells, 100 Fla. 1631; 131 So. 777. (Known as the Pace Case). Decided January 8, 1931.

Upon application and hearing under Chapter 13,700, Acts of 1929, H. T. Pace was granted by Railroad Commission a certificate of public convenience and necessity to operate a truck service between Jacksonville and Tallahassee. The Commission did not consider the effect on existing rail carriers and whether they could furnish any additional service needed. The Seaboard brings certiorari to quash the order of the Commission.

HELD: Commission order quashed:

1. Commission did not proceed in accordance with the essential requirements of the law in refusing to consider the existing rail and express service. (Sec. 3, Ch. 13,700, Acts of 1929.)

2. "There was no evidence showing that there was any real public necessity for its (applicant's) operation, when the service afforded by the railway and express companies is taken into consideration." (Id. Sec. 2.)

Florida Motor Lines vs. State Railroad Commission, 101 Fla. 1018; 132 So. 851. Decided March 3, 1931.

(See previous case between same parties, 100 Fla. 538; 129 So. 876.)

The Commission granted Georgia-Florida Motor Lines authority to substitute 24-passenger busses for 7-passenger sedans on their run from Jacksonville to Miami on ground of public safety, comfort and convenience. The order granted protestant Florida Motor Lines a similar privilege upon proper showing being made. The latter brings certiorari to quash the order of the Commission on the ground that it was an existing carrier over the route that it had not failed to provide facilities satisfactory to the Commission and that here was no necessity for further passenger facilities over the route.

HELD: Certiorari denied:

1. Under Chapter 13,700, Acts of 1929, if there is substantial competent evidence legally sufficient to support the findings of the Commission, and no rule of law was violated, and the whole records does not show an abuse of authority or arbitrary action, the Commission order will not be set aside on certiorari.

2. Proof of public convenience and necessity as would support a new operation is not necessary to permit an existing certificate holder to improve its service by changing its type of equipment even over a route served by other carriers. (Sec. 3, Ch. 13,700, Acts of 1929.)

3. Order denies no right of Florida Motor Lines secured to it by statutes especially as here where the schedule of the two carriers are different and they operate from different termini. (Id.)

4. Railroad Commissioners are statutory officers and can exercise only such authority and functions as are expressly or impliedly provided for in statutes.

5. "The state may forbid the use of its highways in the business of transportation for hire even in interstate commerce, if no unjust discrimination is thereby perpetrated and federal instrumentalities are not hindered."

6. In absence of federal regulations, numbers, nature, size, weight and operation of vehicle used for hire on public highways may be regulated even as to interstate commerce, where such commerce is not discriminated against or unduly burdened. (Sec. 3, Ch. 13,700, Acts of 1929.)

Alkazin vs. Wells, 47 Fed. (2) 904. Decided 1931.

Application for interlocutory injunction before a three-judge Federal District Court against the Florida Railroad Commission to restrain the enforcement against applicant of the provisions of Chapter 13,700, Acts of 1929, the contention being that since applicant was engaged exclusively in the interstate transportation of passengers, that such Act as to him is violative of the commerce clause of the United States Constitution of the fourteenth amendment to that Constitution and of the Federal Aid Act and the Federal Highway Act.

HELD: Interlocutory injunction denied:

1. State may require interstate motor carrier to obtain certificate of convenience and necessity as prerequisite of use of public highways, the same is grantable on application as matter of course. (Sec. 2, Ch. 13,700, Acts of 1929.)

2. State regulations enforceable against interstate carrier:

- a. Payment of reasonable, nondiscriminatory mileage tax. (Id. Sec. 14.)
- b. Reasonable regulations for protection of safety and comfort of passengers. (Id. Sec. 5.)
- c. Bond or insurance for protection of persons, other than passengers, who sustain injury due to carrier's negligence. (Id. Sec. 4.)
- d. Other which are not named.

Tyson vs. Stoutamire, 104 Fla. 505; 140 So. 454. Devided March 21, 1932.

Tyson was arrested for transporting, but not for compensation within the terms of Chapter 14764, in a private motor vehicle a greater gross load than the 16,000 lb. limit prescribed by Section 3 of Chapter 15625, Acts of 1931, the Motor Vehicle Licensing Act. He contends these laws create an unlawful discrimination against him since a certificated vehicles under Chapter 14764 is allowed a greater weight. Relief sought by Habeas Corpus.

HELD: No denial of equal protection of the laws:

1. The legislative classification of public service vehicles as against private ones for the purpose of regulation is valid and reasonable. (Sec. 1, Ch. 14,764, Acts of 1931.)

2. The legislature may impose on carriers for compensation such greater or less burden as its wisdom may dictate. (Id.)

3. Chapters 14764 and 15625 are not in irreconcilable conflict but are *pari materia* and must be construed together since both passed the same session of Legislature, both deal with same general subject and the latter provides that nothing therein shall repeal the former. (Purpose and intent of the two Acts stated.) (Id. Sec. 11.)

L. & N. Railway Company vs. Matthews, 104 Fla. 603; 140 So. 469. Decided March 31, 1932.

(See previous case of Seaboard Air Line Railway Company vs. Wells, 100 Fla. 1027; 130 So. 587.)

Certiorari by rail carriers to review Railroad Commission order granting to Union Bus Line a certificate of public convenience and necessity to operate night service between Jacksonville and Marianna.

HELD: Writ quashed.

1. On certiorari, even tho the court might have reached a different conclusion on the evidence, this would not justify substitution of its judgment for that of the Railroad Commission within whose jurisdiction lies the power to decide the question of public convenience and necessity. (Sec. 3, Ch. 14,764, Acts of 1931.)

2. Review of findings and conclusions of Railroad Commission on certiorari is not appellate in its nature, so as to determine whether error was committed as on writ of error or appeal. (Id.)

Riley vs. Lawson, 106 Fla. 521; 143 So. 619. Decided August 24, 1932.

Riley, a citizen and taxpayer, brought a Bill of Complaint under Section 25, of Chapter 14764, Acts of 1931, to enjoin Lawson from engaging in the business of hauling as a "private contract carrier" as defined in the Act without having secured a certificate or permit from the Railroad Commission. The circuit judge dismissed the bill, holding the Act unconstitutional as applied to private contract carriers.

HELD: Act constitutional.

1. Use of public highways for gain is special and extraordinary, is not a right but a privilege even as to private contract carriers, and may be prohibited entirely by the Legislature which may permit such use on certain conditions and under certain regulations.

2. Two principles under which state may regulate the use of public highways for gain are:

a. Nature of the business—hauling for compensation.

b. The right to conserve and protect public highways.

3. While the state may entirely prohibit the use of the highways for gain, there are limitations on its right to condition such use.

a. It may not exact as a condition the surrender of any right guaranteed by the federal constitution.

b. It cannot deny to permittees of the same class the equal protection of the laws. This rule does not limit wide discretion in classifying under the police power, presumption being that such legislation is valid when any conditions are present which will warrant the classification made. Under this rule motor vehicles may be treated as a special class.

4. Private contract carriers may be separately classified and dealt with as distinguished from common carriers, and such private carriers who operate in continuous and recurring carriage may be regulated separately from those whose operations are ordinary or casual. (Long discussion of the three classifications in the Act.) (Secs. 3, 4, 5, Ch. 14764, Acts of 1931.)

5. Construed as a whole the Act contemplates that private contract carriers be granted certificates as a matter of course, no public necessity or demand required to be shown, but consideration must be given to existing facilities and whether the proposed use of the highways would be an inordinate one. *Id.* Secs. 4 and 5.)

6. The Act does not impair the right to contract—"the rule is that, if the power exists to accomplish the regulation attempted, such interference with the right to contract is justified as an aid to its exercise." (*Id.* Sec. 4.)

7. Since the Act on its face specifically sets forth the portions applicable to private contract carriers, such a carrier can be protected by appropriate judicial proceedings from enforcement against him of inapplicable provisions. (*Id.* Secs. 4 and 28.)

Dickinson vs. Cahoon, 107 Fla. 155; 144 So. 345. Decided October 24, 1932.

Attack by habeas corpus on the right to enforce the general 16,000 lb. gross vehicle weight limit prescribed by the Motor Vehicle Licensing Act as against certificated carriers under Chapter 14764, Acts of 1931.

HELD:

1. "Chapter 14764, as a regulatory Act, is complete in itself. Without reference to any other statute in this state, this special Act dealing with certificated motor vehicles, contains within its four corners all the principles of regulation and supervision which are to be applied to those certificated vehicles falling within its purview."

2. The motor vehicle law (now Chapter 15625, Acts of 1931) is principally a licensing and taxing measure intended for motor vehicles generally, but Chapter 14764, being a separate classification of particular vehicles used for hire, rendered inapplicable as to such vehicles the regulation as to weight, speed, etc., in the licensing Act. (Secs. 11, 12, 13, Ch. 14764, Acts of 1931.)

3. The legal effect of the last paragraph in Section 11 of Chapter 17464 is to limit the combined weight and load of all vehicles operating under that Act to 24,000 lbs. (Id. Sec. 11.)

4. The Railroad Commission may be "some special regulation—within the scope of its power to make reasonable rules and regulations applicable to any and all transportation companies," restrict the weight limit of vehicles under its jurisdiction to less than 24,000 lbs. (Id. Sec. 11.)

Central Truck Lines vs. Railroad Commission, 109 Fla. 395; 147 So. 590. Decided April 13, 1933.

Strickland Transfer Company, a certificated operator between Orlando and Tampa, having purchased under authority from the Commission the certificate rights of Merchants Transfer Company, which operated between Orlando and Daytona Beach, applied for and received the approval of the Railroad Commission to change its combined schedule from Daytona Beach to Tampa, so as to provide an expedited service. Central Truck Lines brings certiorari to quash the order of the Commission contending the new schedule creates a new service for which there is no necessity if rights of existing carriers, who already operate thru schedules and are able and willing to furnish any additional service, as considered.

HELD: Writ of certiorari quashed:

1. Commission may grant improved schedule to carrier without considering effect on competing carriers, this not being the granting of a new service. (Sec. 3, Ch. 14,764, Acts of 1931.)

2. Findings and conclusions of the Commission will not be set aside on certiorari where there was substantial competent evidence to sustain them and no rule of law was violated and the record discloses no abuse of authority or arbitrary action. (After discussion of the evidence). (Id. Sec. 3.)

3. Under Chapter 14764, Commission must consider effect on competing lines only:

- a. When new certificate is sought.
- b. When approval is sought for transfer of certificates. (Id. Secs. 3 and 4.)

Merchants Mutual Association vs. Matthews, 110 Fla. 325; 149 So. 27. Decided May 30, 1933.

Appellant is a co-operative association organized for the express purpose of transporting at actual cost the goods of its stockholders only, and seeks an injunction (denied by the Circuit Judge) to restrain any interference with its operations by the Railroad Commission.

HELD: Injunction denied:

1. The organization is a private contract carrier because it contracts with its stockholders and hauls for them for compensation, and is therefore under the jurisdiction of the Railroad Commission. (Secs. 1 and 4, Ch. 14,764, Acts of 1931.)

Matthews vs. State ex. rel. St. Andrews Bay Transportation Company, 111 Fla. 587; 149 So. 648. Decided August 2, 1933.

The Commission denied application of Union Bus Company to extend its interstate bus operations from Marianna, Florida, to Dothan, Alabama, on ground that application did not appear to be exclusively interstate. Applicant then amended its application to show that proposed service would be entirely interstate. The St. Andrews Bay Company obtained a writ of prohibition against the Commission prohibiting further proceedings on the amended application on the ground that Section 3 of Chapter 14764 prohibited the Commission from considering same within six months from date of the denial of the original application.

HELD: Reversed.

1. Section 3 of Chapter 14764 cannot bar from consideration an application for a purely interstate operation merely because of the denial of one for intrastate rights. (Sec. 3 of Ch. 14,764, Acts of 1931.)

2. Commission orders under Chapter 14764 are not res adjudicata, but Commission has inherent power to grant rehearings and modify previous orders. (Id.)

3. Commission may be required to comply with Section 3 of Chapter 14764 by appropriate processes directed by Circuit Court (Prohibition used here) when invoked by proper party. (Id. Sec. 3.)

Leonard vs. Sweat, 114 Fla. 60; 152 So. 857. Decided February 21, 1934.

Habeas corpus to test right of common carrier by motor truck to transport a gross load in excess of the 18,000 lbs. limit prescribed by Chapter 16085, Acts of 1933, (the Motor Vehicle Licensing Law).

HELD: (On authority of Dickinson vs. Cahoon, 107 Fla. 155; 144 So. 345.)

1. Railroad Commission may issue authority under Chapter 14764, to transport a gross weight of 24,000 lbs., Chapter 16085 in no way repealing Chapter 14764, and Chapter 16085 being merely an amendment to Chapter 15625, Acts of 1931, which was held in Dickinson vs. Cahoon, supra, to be inapplicable so far as weights are concerned to vehicles under the jurisdiction of the Railroad Commission. (Sec. 11, Ch. 14,764, Acts of 1931.)

(Mr. Justice Davis concurs on ground that the Attorney General, the Railroad Commission and the Motor Vehicle Commissioner have all concurred in a construction of the uncertain weight provisions of Chapter 16085 in favor of petitioner's contentions, so that criminal liability under such act must be resolved in favor of accused).

Coleman vs. Achim, 114 Fla. 89; 153 So. 96. (Share Expense Case.) Decided February 27, 1934.

Habeas corpus to test the right to operate without authority from the Railroad Commission of the owner of a private vehicle who on only one occasion transported for compensation four people from Miami to Hemp, North Carolina.

HELD: Whether defendant violated law depends on facts:

1. If auto trip was joint adventure between auto owner and passengers to which it was agreed that payments by passengers should be contribution to expense of trip, transaction would not come within purview of Chapter 14764. (Sec. 1, Ch. 14,764, Acts of 1931.)

2. If auto owner holds himself and his auto out to individuals or to public from which these individuals were gathered as being ready, willing and able to transport the persons for a fixed fee as his compensation, he would be a private contract carrier within the statute requiring a certificate of public convenience and necessity. (Id. Secs. 1 and 4.)

In re Grubb, 116 Fla. 387, 156 So. 482. Decided September 7, 1934.

Original mandamus proceedings to compel the Railroad Commission to issue "for hire" permit, under the terms of Chapter 14764, Laws of 1931, bringing for review before the Court only the Commission's order of denial.

HELD: Writ denied:

1. The Railroad Commission must hold a hearing and investigate and make findings to determine the nature and scope of a proposed "For Hire" operation before issuing a permit where the application suggests some special inquiry. (Sec. 4, Ch. 14,764, Acts of 1931.)

2. Petition for alternative writ of mandamus to require the Railroad Commission to issue a "for hire" permit to a carrier denied such a permit should disclose the entire record of proceedings, unless the order denying the permit is shown to be illegal or unauthorized on its face. (Id.)

3. Certiorari, not mandamus, is the proper remedy for a carrier denied a "for hire" permit by the Railroad Commission after an adversary hearing at which third parties appeared and protested. (The Court does not say that mandamus may not be used in any case of this nature). (Id.)

Rogers vs. Cunningham, 117 Fla. 760; 158 So. 430. Decided December 28, 1934.

Rogers was charged with operating on the public highways of Pinellas County "one truck and trailer combined (semi-trailer) which weight did exceed the state law." The evidence taken before the committing magistrate showed that the vehicle driven by Rogers was a four-wheel truck which had no provision for carrying a load independently, and to which was coupled in the manner of a semi-trailer, a four-wheel trailer whose wheels were placed so that the front end of the unit would drop to the surface of the road if the unit were detached from the truck. This is an original proceeding in habeas corpus and the Supreme Court stated: "All parties seem to desire an opinion from this Court as to whether a truck and trailer such as Rogers drove is within the provisions of the law limiting the weight to be carried by a semi-trailer."

HELD: Petitioner discharged from custody:

1. The combination vehicle is not a truck and semi-trailer as contended by the state, but is a "four-wheel vehicle attached to or to be drawn by a truck" which "counsel for state in the brief seemingly admit if properly equipped..... is entitled to a gross load of 34,000 pounds." (Sec. 3, Ch. Acts of 1933.)

2. Statute regulating weight of load of trucks and trailers being criminal statute should be strictly construed and for accused to be held for trial the charge must plainly and unmistakeably show him to come within its prohibitions. (Id.)

NOTE: No where in this opinion did the Supreme Court hold that a private carrier was entitled to transport upon a vehicle of the character described in the opinion, a gross load of 34,000 pounds.

**Central Truck Lines vs. Railroad Commission, 118 Fla. 526; 160 So. 22.
Decided February 28, 1935.**

The Railroad Commission granted the Seaboard Air Line Railway Company a certificate of public convenience and necessity to operate a common carrier truck service between Tampa and Brooksville and between Waldo and Morriston, but only as a purely substituted service in order to affect a saving in transportation costs, and conditioned upon the resumption of rail service as soon as business warrants it. Central Truck Lines, who also serve this territory bring certiorari contending the Commission could not grant such authority without such proof of public convenience and necessity as would be required of an independent motor carrier.

HELD: Certiorari denied:

1. Section 27 of Chapter 14764, and Section 6703 C. G. L. contain authority for Railroad Commission in its co-ordinated supervision and regulation of both rail and motor carrier to grant a limited certificate of public convenience and necessity confined to a mere commutation of rail into motor carrier service where there is no grant of general or permanent authority to perform motor vehicle service on the highways, and without such showing of public convenience and necessity as would be necessary for a new service. (Sec. 27, Ch. 14,764, Acts of 1931, and Sec. 6703, C. G. L. 1927.)

2. Statutes regulating rail and motor carriers are in contemplation of law *pari materia*, and have for their object appropriate regulation of both in their relation to each other and to the transportation needs of commerce in the state. (Id.)

3. "Public convenience and necessity" has not been defined by the lawmakers, and each case must be decided on its own facts weighed in the light of the declared legislative purpose. (Sec. 3, Ch. 14,764, Acts of 1931.)

4. Railroad Commission orders granting or refusing permits of public convenience and necessity, although arrived at in a quasi-judicial form of procedure, are legislative in character and must be sustained, unless clearly invalid because of: (a) misapprehension of law or facts, (b) ultra vires, (c) infringement of complaining party's legal rights, (d) contrary to some essential requirement of the law. (Id. Secs. 3 and 4.)

**Central Truck Lines vs. Railroad Commission, 118 Fla. 555; 160 So. 26.
Decided March 1, 1935.**

The St. Johns River Line Company, operating both river boat and truck service, purchased the McLeod Lines which operated trucks between Orlando and Tampa. The Commission in approving the transfer of the certificate rights of McLeod Lines authorized an additional through schedule for St. Johns River Line between Tampa and Sanford. All other carriers objected on the ground that this created an entirely new operation and permitted depressed water-truck freight rates into the Tampa trade territory, all without the required showing of public convenience and necessity and the consideration of existing facilities.

HELD: Order of Commission quashed on Certiorari:

1. Railroad Commission orders regulating the use of the highways by motor transportation companies must, like a statute, be tested by their practical operation and effect rather than by their form. (Ch. 14,764, Acts of 1931.)

2. Motor vehicle rights under certificates separately granted cannot be lawfully combined for the establishment of a through service without first obtaining from the Railroad Commission a certificate of convenience and necessity. Chapter 14764, Acts of 1931, contemplates no prejudicial alteration in established relationships unless justified by public convenience and necessity. (Id. Sec. 3.)

3. The purpose of a certificate of public convenience and necessity is primarily for public convenience and welfare and not for the advantage and benefit of carriers. (Id. Sec. 3.)

4. Inadequacy of existing service is not necessarily essential to a finding that public convenience and necessity will be served by the linking of existing local services to create a through service. Here the fault

was the inclusion in the certificate of a special provision permitting the enjoyment by the St. Johns River Line of rate advantages at the expense of other carriers serving the same territory. (Id. Sec. 3.)

5. The Railroad Commission under the authority given in the Act to include such terms, conditions, and provisions in certificates as it may deem proper in the public interest may not grant special rates, prejudicial to other carriers. (Id. Sec. 3.)

6. Under the terms of the Act auto transportation company includes a carrier operating partly by water and partly by motor vehicles. (Id. Sec. 1.)

Tamiami Trail Tours vs. Railroad Commission of Florida, 120 Fla. 371; 163 So. 1. Decided July 5, 1935.

Coast to Coast System, Inc., the holder of a certificate to transport freight by motor vehicle from Jacksonville to Tampa via Daytona Beach and Kissimmee and from Jacksonville to Miami via Daytona Beach and Melbourne, was granted by the Railroad Commission the right to operate between Kissimmee and Melbourne on a schedule that would expedite by one day its service from Tampa to Miami. No showing of public convenience and necessity was attempted and Tamiami Trail Tours, Inc., who holds the certificate rights between Tampa and Miami via Fort Myers and the Tamiami Trail seek to set aside the order of the Commission on certiorari.

HELD: Order of Commission quashed:

1. Railroad Commission orders must be tested by their practical operation and affect rather than by their form. (Ch. 14,764, Acts of 1931.)

2. The order granted is not an administrative schedule change which would be authorized under Section 8 of Chapter 14764, but in effect created a new and different common carrier service between Tampa and Miami for which no showing of public convenience and necessity was made, and none of the essential requirements of the law were followed relative to the granting of a new certificate as set forth in Section 3 of Chapter 14764. (Id. Secs. 3 and 8.)

3. "Every Certificate of Public Convenience and Necessity that the Railroad Commission is authorized to grant under the law is, in most cases in its last analysis, a statutory license to enjoy a protected public monopoly out of whatever motor transportation business is to be derived by the certificate holder out of its servicing the authorized route and terminal points designated in such a certificate when issued." (Id. Sec. 3.)

4. Convenience and necessity in Chapter 14764 refers to that of the public as distinguished from that of the private convenience of a carrier. (Id. Sec. 3.)

L. & L. Freight Lines, Inc., vs. Douglass, 14 F. Supp. 399. Decided Nov. 7, 1935.

Suit to enjoin the Florida Railroad Commission from interfering with the common carrier interstate motor truck operations begun by L. & L. Freight Lines on October 13, 1935, over U. S. Highway No. 19 from the Georgia-Florida state line through Tallahassee to Ocala, Dunnellon and Tampa, and over U. S. Highway No. 90 between Tallahassee and Live Oak. Plaintiff contends that under Subsection (b) of Section 206 of the Federal Motor Carrier Act, 1935, it may inaugurate such purely interstate operation up to the effective date of the Motor Carrier Act and continue such operation for one hundred twenty days without authority from the Interstate Commerce Commission, the I. C. C. by proper order having postponed the effective date of Section 206 until October 15, 1935.

HELD: Prayer for temporary restraining order denied:

1. A careful inspection of the postponement order of the I. C. C. makes it clear that the taking effect of the provisions of Section 206 was postponed solely for administrative reasons, was for the benefit only of those who could not qualify under the "grandfather" clause as of June 1, 1935, but were in operation on October 1, 1935, and was not intended to enlarge any rights to engage in interstate commerce. (Motor Carrier Act, 193, Sec. 206; 49 U.S.C.A. Sec. 306.)

Douglass vs. Pan American Bus Lines, 81 F. (2d) 222. Decided December 27, 1935.

The appellee, a bus company desiring to institute a new type of passenger service between New York and Miami and having secured authority from all other states, applied to Florida Railroad Commission for the proper permit and was refused on the ground that, it being an exclusive interstate operation, the passage by Congress of the Motor Carrier Act had deprived the Commission of all jurisdiction over the granting of a certificate to an interstate carrier. The bus company secured an interlocutory injunction from the District judge for Northern District of Florida restraining the Commission from interfering with plaintiff's operation. From this order the defendants appeal.

HELD: Injunction sustained:

1. From such order court reviews only whether there has been abuse of discretion. Under these circumstances this order was an "ex-

ercise of discretion" to protect apparent rights of plaintiff. (Motor Carrier Act, 1935, 49 U.S.C.A. Sec. 301-327.)

2. The bill does not attack either a law of Florida or an order of the Commission, so this is no case for a three-judge court.

3. On the showing made before the Commission, the appellee was entitled to a certificate as a matter of right, it being an exclusive interstate carrier. (Secs. 3 and 28, Ch. 14,764, Acts of 1931.)

McJunkin vs. Railroad Commission, 122 Fla. 402; 165 So. 368. Decided January 20, 1936.

The Commission authorized the Seaboard Air Line Railway to operate common carrier bus service between Fernandina and Yulee in lieu of its previous rail service, a purely substitute service from depot to depot until such time as business would permit the resumption of the rail service. McJunkin, who had previously performed this service under contract with the railroad, brings certiorari to quash the order of the Commission on the ground that this is a new service granted without considering public convenience and necessity or the effect on his existing public.

HELD: Certiorari denied:

1. The judgment of the Railroad Commission is proper on authority of Central Truck Lines vs. Railroad Commission, 160 So. 22. Sec. 27, Ch. 14,764, Acts of 1931.)

Lowe vs. Stoutamire, 123 Fla. 135; 166 So. 310. Decided February 29, 1936.

Driver for L. & L. Freight Lines, Inc., was arrested for operating a motor vehicle for hire without authority from Railroad Commission in exclusive interstate commerce and he brings habeas corpus.

HELD: Petitioner lawfully held:

1. Enactment of Motor Carrier Act, 1935, did not suspend or supersede state laws applicable to interests motor carriers but left same to be applied without hindering or burdening regulations of Congress applicable to same subject matter. (Motor Carrier Act, 1935; 49 U.S.C.A. Secs. 301-327.)

2. Motor Carrier Act did not impair Chapter 14764 in so far as it required interstate carriers to register their operation and observe the provisions of the Act capable of being enforced against interstate carriers. (Id.)

3. *Alcazin vs. Wells*, 47 F. (2d) 904, principles still in effect in so far as state regulations do not now conflict with Motor Carrier Act. (Id.)

4. State's proprietary interest in its roads and right to condition their use for their preservation and for public safety and convenience is to be distinguished from right to prescribe equipment for interstate railroads.

Union Bus Company vs. Douglass, 123 Fla. 292; 166 So. 582. Decided March 19, 1936. Rehearing denied March 23, 1936.

Railroad Commission granted A. J. Redd a certificate of public convenience and necessity to carry passengers between Perry, Branford, Raiford, Macclenny and Jacksonville, but with closed doors between Macclenny and Jacksonville. Union Bus Company brings certiorari to quash the order of the Commission on ground that it was already adequately serving the needs of the public between Macclenny and Jacksonville and is willing and ready to provide any additional service necessary.

HELD: Certiorari denied:

1. Commission may grant new certificate in which a portion of the route is covered by an existing certificate, where the new service is so restricted as to preclude the rendering of competitive service, and where the public convenience and necessity require the duplication of routes to meet the needs of those accommodated by the new service. (Sec. 3, Ch. 14,764, Acts of 1931.)

2. Commission may issue certificates with modifications, and upon such terms and conditions as in its judgment public convenience and necessity may require. (Id.)

State ex rel. R. C. Motor Lines vs. Florida Railroad Commission, 123 Fla. 345; 166 So. 840. Decided March 28, 1936.

Original mandamus proceedings to require the Railroad Commission to grant a certificate of registration to an exclusive interstate private contract carrier by motor vehicle over a certain state highway.

HELD: Peremptory writ granted:

1. The commerce clause of the U. S. constitution ex proprio vigore amounts to a national certificate of public convenience and necessity to carry on interstate commerce and only Congress can limit this right. (Sec. 8, Art. 1, U. S. Constitution.)

2. The certificate of public convenience and necessity as required by the Florida Motor Transportation Act and applied to an exclusive

interstate carrier is in effect only a registration of such a carrier's operation, is grantable as a matter of course after opportunity to determine its bona fides, and is only to enable the state to:

- (a) Identify the operation.
- (b) Collect the mileage taxes due for the use of the highways.
- (c) Enforce police regulations which promote public safety and conservation of the highways. (Secs. 1, 2, 3, 4, 11, 12, 13, 16, Ch. 14,764, Acts of 1931.)

3. The enactment of the Motor Carrier Act, 1935, by Congress did not suspend or supersede the rights of the state as set forth in paragraph 2 above. (49 U.S.C.A. Secs. 301-327.)

4. The power of the Railroad Commission to determine the route to be used by interstate motor carrier is an exercise of the police power to be exerted after authority is granted as a matter of course to use the state highways in commerce, and cannot be exercised so as to unduly burden or control the right to operate. (Secs. 3 and 14, Ch. 14764, Acts of 1931.)

Lawrence vs. Goddard, 124 Fla. 250; 168 So. 13. Decided May 5, 1936.

Goddard, manager of a U-Drive-It Company, was arrested for renting an automobile to a party who operated it over a public highway of the state, Goddard not having first obtained a permit from the Railroad Commission and complying with Chapter 14764, Acts of 1931.

HELD: Accused discharged on habeas corpus:

1. U-Drive-It concerns neither *operate* their own automobiles nor undertake to transport persons or property as part of their business, hence are not "*carriers*" who "*operate*" motor vehicles within the terms of Section 1 (e) of Chapter 15764. (Sec. 1, Ch. 14764, Acts of 1931.)

2. The provisions of Chapter 14764 are unadapted for application to a U-Drive-It operation:

- a. Form of bond prescribed by Section 6 is inapplicable. (Id. Sec. 6.)
- b. The speed rule in Section 12 cannot be enforced against one who relinquishes control of his vehicle. (Id. Sec. 12.)
- c. The driver regulations of Section 19 similarly could not be enforced. (Id. Sec. 19.)

University City Transfer Company vs. Florida Railroad Commission, 124 Fla. 308; 168 So. 413. Decided May 18, 1936.

The Commission after notice and hearing, authorized the transfer of a certificate of public convenience and necessity from Brown's Motor Freight Lines, Inc., to Hi-Way Transports, Inc. This is certiorari to review this order brought by two carriers also serving the same territory. The contentions were that the evidence showed it to be the duty of the Commission to revoke the certificate for failure to operate, that therefore there was nothing to transfer, that Hi-Way Transports, Inc., had not shown public convenience and necessity; that the Commission failed to consider: (a) rights and privileges of existing carriers serving the territory; (b) effect on existing facilities in the territory; (c) the interest of the shipping and consignee public.

HELD: Certiorari denied:

1. Where Commission's conclusions are sustained by substantial evidence, they are not reviewable by certiorari.

2. Before certificate can be considered as revoked, there must be formal charge, citation, hearing, and "weighing the probative force of evidence on the merits of the question." (Sec. 10, Ch. 14,764, Acts of 1931.)

3. The certificate not having been revoked, the transferee was under no duty to show existence of public convenience and necessity. (Id. Sec. 3.)

State ex rel. L. & L. Freight Lines, Inc., vs. Douglass, 124 Fla. 579; 169 So. 389. Decided May 13, 1936. Rehearing denied July 19, 1936.

The relator, on October 8, 1935, applied to the Railroad Commission for a certificate of public convenience and necessity to operate a common carrier truck service from Atlanta, Georgia, to Tampa, Florida, through Tallahassee, Perry, Ocala and Dunellon, and also over state highway No. 1, between Marianna and Live Oak through Tallahassee. The Commission declined to take jurisdiction of the application on the ground that its jurisdiction had been superseded by the passage of the Federal Motor Carrier Act, 1935. This was an original mandamus proceeding to require the Commission to grant the certificate.

HELD: Alternative writ of mandamus quashed and proceeding dismissed:

1. Control by Interstate Commerce Commission over issuance or denial of certificates of public convenience and necessity for operation

of motor vehicles in interstate commerce began with date of President's approval of Federal Motor Carrier Act on August 9, 1935, and not from date such Act might become operative. (49 U.S.C.A. Secs. 301-327.)

2. Florida Railroad Commission held without authority to entertain application for issuance of certificate of public convenience and necessity for exclusively interstate motor carrier operation after approval of federal act governing such certificates, until propriety of issuance had first been submitted to and passed upon by Interstate Commerce Commission. (Secs. 3 and 28, Ch. 14,764, Acts of 1931.)

3. Where Interstate Commerce Commission awards certificate of public convenience and necessity for exclusively interstate motor carrier operation, Florida Railroad Commission is required to grant carrier state certificate upon proper application to enable commission to enforce state police regulations. (Id. Secs. 3 and 28.)

L. & L. Freight Lines, Inc., vs. Douglass, 124 Fla. 696; 169 So. 370. Decided June 26, 1936.

Appeal from an interlocutory order of the Circuit Court of Leon County denying an application for a restraining order against the Florida Railroad Commission to prevent the enforcement of the Florida Motor Transportation Act against the L. & L. Freight lines who were engaged in exclusive interstate commerce over certain state highways but who had not secured any authority from the Interstate Commerce Commission under the Federal Motor Carrier Act of 1935 to conduct such business.

HELD: Constitutional writ of injunction dissolved:

1. The federal right claimed by appellant, while appropriately alleged has not been made clearly to appear by proof submitted to overcome the allegations of the answer denying the lawful inauguration of the operation, and must be established by competent proof before being entitled to injunctive relief in the state courts as against the asserted rights of state officers to continue their enforcement of a state statute otherwise applicable.

2. Since the passage of the Federal Motor Carrier Act, 1935, Interstate motor carriers are entitled to injunctive protection of their operations upon it being shown by appropriate allegations and proof that they are entitled to enjoy the temporary privileges and benefits conferred ex proprio vigore by that Act, pending a factual decision by the I. C. C. on their interstate right. (Secs. 206, Motor Carrier Act 1935; 49 U.S.C.A. Sec. 306.)

3. The purpose of Congress by the Federal Motor Carrier Act was to vest in the I. C. C. the ultimate authority to determine which motor carriers are entitled to operate under the terms of that Act, no such authority remaining in the state regulatory bodies.

L. & L. Freight Lines, Inc., vs. Douglass, 124 Fla. 819; 169 So. 501. Decided July 16, 1936.

Original mandamus proceedings to require the Florida Railroad Commission to grant a certificate of public convenience and necessity for an exclusive interstate motor vehicle operation to a carrier who had not received any authority from the Interstate Commerce Commission under the Federal Motor Carrier Act, 1935.

HELD: Alternative writ of mandamus denied:

1. State Railroad Commission need not grant certificate of public convenience and necessity to motor carrier for interstate operation, until Interstate Commerce Commission finally decides carrier's permanent status, notwithstanding carrier may continue already begun interstate operation until pending application to Interstate Commerce Commission for permanent certificate has been decided since such federal right is only temporary. (Sec. 3, Ch. 14,764, Acts of 1931.)

L. & L. Freight Lines, Inc., vs. Railroad Commission of Florida, 17 F. Supp. 13. Decided Dec. 4, 1936.

Suit by an interstate common carrier truck line to enjoin Florida Railroad Commission and the Florida State Road Department from enforcing against plaintiff the weight regulations of motor trucks and trailers prescribed by the Railroad Commission under the terms of Chapter 14764, Laws of Florida, 1931. Plaintiff contends that by the Motor Carrier Act, 1935, Congress assumed the regulations of interstate motor carriers for hire, preempting the field to the exclusion of state regulation.

HELD: Injunction denied:

1. Federal Motor Carrier Act does not regulate interstate motor vehicle carriers as to weight so as to displace Florida state regulations, this being plainly shown by the failure to enumerate weights in Section 204 of the Act which states the extent of the authority given the Interstate Commerce Commission over motor vehicle carriers, and by Section 225 of the Act which authorizes the I. C. C. to investigate and report on the need for federal regulation of the weight of motor vehicles. (Secs. 204 and 225, Motor Carrier Act 1935; 49 U.S.C.A. Secs. 304 and 325.)

2. Courts will not hold that regulatory police powers of the states to prescribe size and weights of vehicles using state highways in interstate commerce are superseded except on clear evidence of intent of Congress to occupy and pre-empt that field of regulation.

State of Florida ex rel. Morris Coats vs. Whitaker, 126 Fla. 543. 171 So. 521. Decided December 18, 1936.

Original habeas corpus proceeding by operator of a motor vehicle to secure release from arrest for transporting commercial fertilizer from factory to farmer-consumer without authority from Railroad Commission. It was agreed that this was a "casual and irregular" trip by one regularly engaged in hauling exempted products (agricultural products) and that trucks were operating under private license from the Motor Vehicle Department.

HELD: Petitioner remanded to custody:

1. Transporting of commercial fertilizer to the farmer is not exempt from provisions of Motor Transportation Act. (Sec. 30, Ch. 14,764, Acts of 1931.)

2. Vehicle used in hauling for compensation in order to be exempt under Section 30 of Chapter 14764 must be devoted "exclusively" to such operation. (Id.)

3. "Casual and irregular trips, under Section 30, are not exempt unless the person making them is not engaged in the *business* of for hire carriage as the petitioner was here, even tho he is permitted to operate under private license by the motor vehicle license law. (Id.)

Leonard Bros. Transfer & Storage Company, et al. vs. Carter, 127 Fla. 198; 172 So. 924. Decided February 26, 1937.

Original mandamus proceedings to require the Railroad Commission to deny and dismiss an application filed by the Railway Express Agency for a "For Hire" carrier's permit. A temporary permit had been granted and the Commission had thereafter held a hearing, upon the protests of the relators, to determine the exact nature of the operation and whether or not the permit was the proper authority to grant. The mandamus proceedings were brought eighteen days after the hearing and before the Commission had announced its decision.

HELD:

1. The Railroad Commission has power to tentatively grant an application for a "for hire" permit, and thereafter conduct an inquiry to

determine whether the same is proper and should be allowed to remain in force. (Sec. 5, Ch. 14,764, Acts of 1931.)

2. Mandamus cannot be used to coerce a particular decision by the Railroad Commission on a matter within its jurisdiction where Commission has the matter under advisement.

Central Truck Lines, Inc., vs. Douglass, 127 Fla. 392; 173 So. 162. Decided February 16, 1937.

Petition for Writ of Certiorari to review four orders of the Railroad Commission, the first of which granted and the balance extended the authority of the Seaboard Air Line Railway to operate a common carrier truck service between certain towns served by its rail lines. (See Central Truck Lines vs. Railroad Commission, 118 Fla. 526; 160 So. 22, upholding the first of these orders.) The petitioned in this case contends that all of the orders taken together, and in connection with an administrative interpretation thereof, (Traffic Circular No. 30) constitute the granting of a Certificate of Public Convenience and Necessity without requiring proof of the same as required by the Motor Transportation Act.

HELD: Certiorari denied:

1. The orders complained of are merely an extension of the same purely substituted rail service which was upheld in Central Truck Lines vs. Railroad Commission (cited above) (Sec. 27, Ch. 14,764, Acts of 1931.)

2. Traffic Circular permitting rail carriers to inaugurate pick-up and delivery service at stations, with alternative provision permitting carriers to make allowance when freight was taken from station platform by consignee or delivered at platform by consignor, HELD not unlawful authorization to railroad companies to conduct pick-up and delivery service, where same alternative was declared to be allowable to public highway carriers. (Acts 1931, Ch. 14,764, Sec. 30.) (Id. Secs. 3 and 27.)

Tamiami Trail Tours, Inc., vs. Railroad Commission, 128 Fla. 25; 174 So. 451. Decided March 11, 1937.

Tamiami Trail Tours seeks to review by certiorari an order of the Railroad Commission denying an application to operate a common carrier bus service between Tampa and Tallahassee, Florida.

HELD: Writ of Certiorari granted and order of Railroad Commission quashed:

1. Petitioner held to have met the burden resting upon it as a basis for having issued a certificate where Commission found that part of territory was suffering to some extent from lack of through transportation facilities and such service would be a great convenience to that part of public. (Sec. 3, Ch. 14,764, Acts of 1931.)

2. Certiorari will lie to review an order of the Railroad Commission denying an application for Certificate of Public Convenience and Necessity. (Id. Sec. 3.)

3. (On rehearing) In Certiorari Supreme Court cannot direct respondent to enter any particular order or judgment but can only deny the writ or quash the order reviewed, and, where order is quashed, leaving the proceedings as they were before such order was entered. (Davis concurring: Decision of reviewing Court in certiorari becomes the "law of the case" which must be followed in any further proceedings before inferior tribunal, mandamus being the remedy to coerce such action.)

**State ex rel Fohl vs. Karel, Sheriff, 180 Sou. 3. Decided Mar. 30, 1938.
Original Proceeding in Habeas Corpus.**

The petitioner was arrested and charged with operating a motor vehicle in transporting goods for compensation without any authority from the Railroad Commission. On original habeas corpus proceedings in the Supreme Court, the facts were stipulated and it was agreed that at the time of his arrest Fohl was driving a truck which was *jointly owned and operated* by two merchants, neither of which had anything in common except their need for transporting their products and this arrangement whereby each contributed to the cost of operating the truck in proportion to his use of the truck. It was agreed that this was a bona fide joint ownership of the truck.

HELD: Prisoner discharged.

1. The operation does not come within the Motor Transportation Act because the two merchants are merely transporting their own goods in their own vehicle as an incident to their private business. (Sections 1 and 30 of Chapter 14764, Acts of 1931).

2. Joint owners and operators of a truck are tenants in common and as such each is entitled to possession and use so long as not to interfere with rights of co-owner, and therefore such operators do not come within the scope of the Act which is intended to regulate only those who haul for others. (Id. Secs. 1 and 30.)

State ex rel George Kelley vs. Ramsey, Sheriff. 132 Fla. 647 181 So. 885.
Decided June 6, 1938.

This was an original proceeding in habeas corpus to test the jurisdiction of the Railroad Commission over the operation of taxi-cabs outside of cities and towns. The petitioner who was engaged in the general taxi business in Tallahassee had transported several persons from Tallahassee to Gainesville, and had no authority from the Commission.

HELD: Petitioner remanded to custody.

1. Taxi-cabs hauling persons for compensation outside of municipalities are within the purview of the Motor Transportation Act and are not within any of the exempting provisions in Section 30 of the Act, it being immaterial that taxi company is licensed to operate a taxi business in a particular city. (Secs. 1 and 30, Chapter 14764, Acts of 1931.)

Malone vs. Carter. 132 Fla. 818; 182 So. 214. **Decided June 15, 1938.**

Injunction suit instituted in the Circuit Court for Dade County, Florida, by P. T. Malone doing business as P. T. Malone Horse Pullman Service, to enjoin the Florida Railroad Commission from regulating the business of transporting race-horses by truck for hire between the Tropical Park and Hialeah Race Tracks in Dade County, Florida.

HELD: Decree of Lower Court dismissing bill of complaint affirmed:

1. The transportation of race-horses between race tracks in Dade County, Florida, is subject to the jurisdiction of the Florida Railroad Commission, since the law specifically provides that such transportation shall not be exempt from the jurisdiction and control of the Railroad Commission. (Sec. 30 of Chap. 14764, Acts of 1931, as amended by Chapters 18028 and 18029, Acts of 1937.)

Central Truck Lines, Inc., vs. Railroad Commission, 133 Fla., 190; 182 So. 783. **Decided June 10, 1938.**

Original proceeding in certiorari to review an order of the Railroad Commission granting the Seaboard Air Line Railway Company the right to operate motor trucks between Jacksonville and Live Oak, Florida, which authority was granted by the Railroad Commission as provided in Section 27, Chapter 14764, Acts of 1931, as amended by Chapter 18027, Acts of 1937. It was contended by the petitioner that Chapter 18027 was unconstitutional.

HELD: Writ of Certiorari denied and petition dismissed.

1. The statute permitting railroads to conduct motor transportation over highways paralleling their rail lines as a matter of right, where ordinary truck lines are required to make a showing of public convenience and necessity before the Railroad Commission, is not discriminatory and does not deny equal protection of the law, the legislature having a wide discretion to limit, regulate or prohibit as it sees fit motor transportation over public highways. (Sec. 27 of Chapter 14764, Acts of 1931, as amended by Chapter 18027, Acts of 1937.)

State ex rel./Sanders vs. Ramsey, Sherig. 137 Fla. 548, 189 So. 39. Decided May 5, 1939.

Original proceeding in habeas corpus to determine whether the Railroad Commission had jurisdiction over the transportation for hire of agricultural products (in this case unshelled peanuts) from one dealer in such products to another.

HELD:

1. There is nothing in Section 30 of Chapter 14764, as amended, exempting this kind of transportation, since it was not performed between points of production, primary manufacture and shipping.

2. The exemption in the last sentence of Section 30 does not apply because there is nothing to show that the occasion of petitioner's arrest was "casual or irregular trip" or that he was "not engaged in business for hire," hence the fact that he may have lawfully been operating under a private license tag does not exempt him from the provisions of Chapter 14764.

Travis vs. Fry, 190 So. 793. Decided July 28, 1939.

Injunction suit to restrain the Railroad Commission from assuming jurisdiction over the operations of a truck owner who is employed by a power company to remove heavy power transformers from their bases at company's substations and to transport them by truck to other supply stations or to repair shops. The contention of the truck owner was that his compensation was primarily for work other than hauling, and that he was not therefore engaged in the business of hauling within the terms of the Motor Transportation Act.

HELD:

1. Such transportation was "For Hire" though only a minor part of the compensation paid was for the actual hauling performed.

2. It is immaterial whether, under contract involving hauling and other work, compensation received for the actual hauling is more or less than that received for the other work.

St. Andrews Bay Transportation Company vs. Carter, 190 So. 788. Decided on August 1, 1939.

Original proceeding in certiorari before the Supreme Court of Florida to set aside orders of the Commission granting a certificate to a competitor and approving the transfer of such certificate. Attack was made on the Commission's proceeding wherein the holder of the new certificate granted did not comply with certain conditions precedent prior to the institution of service under the certificate but nevertheless was granted a certificate.

HELD:

(1) The granting of extensions of time for compliance with conditions precedent laid down by the Commission to obtain a certificate of public convenience and necessity is within the discretion of the Commission and the matter of strict compliance with conditions named is for the Commission to determine.

State ex rel Five Transportation vs. Lee. 132 Fla. 183, 181 So. 179. Decided January 5, 1938. Final Opinion on Rehearing July 29, 1939. 191 So. 10.

Original proceeding in mandamus to require the Comptroller to collect mileage tax from common and contract carriers on the basis of the mileage traveled by vehicles carrying a pay load only and without taking into consideration mileage of trucks carrying no load or no pay load. Relators contended that Chapter 18026, Acts of 1937, which amended the mileage tax provisions of the motor transportation Act, changed the basis of computing such tax.

HELD:

(1) Chapter 18026 Acts of 1937 did not change the method of computing the mileage tax and merely amended the Motor Transportation Act to conform to previous decisions of the Supreme Court interpreting said Act.

(2) Auto Transportation Companies must pay the mileage tax for every mile traveled by their vehicles in the course of their business as carriers regardless of whether a full load, part load or no load is carried.

State ex rel National Trucking Company vs. Lee, Comptroller. First Opinion January 22, 1938; 132 Fla. 533; 181 So. 182. Final Opinion on Rehearing July 25, 1939; 191 So. 17.

This is a companion case to State ex rel Five Transportation Company -vs- Lee digested above. The same questions were raised plus the additional question of whether or not the certificate of the National Trucking Company had been so limited by the Railroad Commission that it could not lawfully transport a pay load on its return movements, and, therefore, could not be required to pay the mileage tax on such movements.

HELD:

(1) A contract carrier in fixing the terms of his contract must necessarily take into consideration the probability of empty return movements and the expense of such empty trips must be included as a part of the basis upon which his compensation is determined.

(2) Although the Railroad Commission is not authorized to fix the rates of contract carriers it may require such carriers to submit their contract rates to the Commission for approval and may take same into consideration in considering the effect upon other transportation facilities within the territory of the contract carrier.

**Report of the
Telephone Engineer**



REPORT OF TELEPHONE ENGINEER

During the year 1939 the Engineers made surveys of the service rendered at seventy-one telephone exchanges. These surveys consisted of various tests and inspections of equipment and lines. In the smaller exchanges operated by their owners assistance was rendered in clearing up difficult cases of trouble. These routine inspections are very comprehensive and cover all branches of the operating and maintenance of the telephone properties. The telephone companies welcome such inspections of their properties and cooperate with Engineers in making the various tests.

The following is a list of the exchanges at which the above mentioned service surveys were made:

Pensacola	Panama City
Milton	Cottondale
Crestview	Sneads
DeFuniak Springs	Siver Junction
Ponce de Leon	Tallahassee
Bonifay	Monticello
Marianna	Greenville
Blountstown	Madison
Wewahitchka	Perry
Chipley	Live Oak
Lake City	Dunnellon
MacClenny	Crystal River
Baldwin	Inverness
Lake Butler	Wildwood
Starke	Leesburg
Hampton	Tavares
Gainesville	Umatilla
Alachua	Eustis
High Springs	Mt. Dora
Trenton	Apopka
Cross City	Winter Garden
McIntosh	Clermont
Williston	Groveland
Ocala	Bushnell
Dade City	Brooksville
New Port Richey	Haines City
Tarpon Springs	Kissimmee
Clearwater	St. Cloud
Largo	Auburndale
St. Petersburg	Mulberry
Plant City	Bartow

Lakeland
Winter Haven
Bradenton
Lynn Haven
Apalachicola

Lake Wales
Frostproof
Sarasota
Hawthorne

Informal service complaints and complaints of charges were adjusted satisfactorily as follows:

NUMBER OF COMPLAINTS HANDLED

Telephone service	20
Charges for service	11
Telegraph	2
	<hr/>
Total	33

**FINANCIAL AND OPERATING
STATISTICS OF
PUBLIC UTILITIES**

**Steam Operated
Railroads**

STATISTICS OF RAILROAD COMPANIES — COMPANIES YEAR 1933
GENERAL BALANCE SHEET — ENTIRE LINE

NAME OF ROAD	ASSETS									LIABILITIES									
	Investment in Road and Equipment	Improvements on Leased Property	Sinking Funds	Deposits in Lieu of Mort- gaged Property	Miscellaneous Physical Property	Investments in Affiliated Companies	Other Investments	Current Assets	Deferred Assets	Unadjusted Debits	Grand Total	Total Stock	Long-term Debt	Current Liabilities	Deferred Liabilities	Unadjusted Credits	Appropriated Surplus	Profit and Loss	Grand Total
Alabama, Florida & Gulf Railroad	\$ 9,525	\$	\$	\$	\$	\$	\$	\$ 2,172	\$ 435	\$	\$ 12,132	\$ 10,000	\$	\$ 1,788	\$	\$	\$	\$ 344	\$ 12,132
Alabama & Western Florida Railroad Company	141,744							10,380			152,157	153,200	5,500	20,277		17,678		*44,498	152,157
Apalachicola Northern Railroad Company	3,006,749				12		65,000	88,139		5,250	3,165,150	1,000,000	4,359,711	418,831		84,537	2,388	*2,700,317	3,165,150
Atlanta & St. Andrews Bay Railway Company	2,211,364				40,494	54,000	10,500	184,012	5,935	76,095	2,582,400	599,900	1,243,834	68,798	2,936	120,859	9,834	536,239	2,582,400
Atlantic Coast Line Railroad Company	268,268,845	505,106			1,985,274	78,230,926	2,237,043	16,982,403	1,296,189	228,772	369,734,558	87,376,389	151,144,930	7,541,902	(1) 1,368,048	38,134,750	5,890,696	78,277,843	369,734,558
Florida East Coast Railway Company	80,544,149	19,985		274,949	318,853	1,772,927	43,036	4,467,683	46,261,186	3,364,672	137,067,440	37,500,000	58,463,369	20,674,530	(2) 47,272,025	9,652,177	902,648	*37,397,309	137,067,440
Georgia & Florida Railroad	20,144,958	100,132		500	144,668	187,401	4,955	207,552	1,926	757,813	21,549,905	13,382,441	6,791,000	8,070,878	(3) 3,627	611,033	13,829	*73,22,903	21,549,905
Georgia Southern & Florida Railway Company	15,142,158	3,917			16,141	122,518		578,083	6,277	980,611	16,849,705	3,768,000	7,656,684	1,666,730	(4) 942,435	1,254,792	45,450	1,515,614	16,849,705
Jacksonville, Gainesville & Gulf Railway	404,312				1			42,443	850	4,355	451,961	5,000	573,722	226,291		15,233	32	*368,317	451,961
Jacksonville Terminal Company	4,689,076				108,732			468,151	2,348	3,420	5,271,727	375,200	4,075,610	484,462	(5) 320	86,455	30,080	219,600	5,271,727
Live Oak, Perry & Gulf Railroad Company	1,443,753				19,355	1,011	3,000	47,365		2,588	1,517,072	600,000	200,000	10,857	(6) 53	1,100,931	506,852	*901,621	1,517,072
Louisville & Nashville Railroad Company	443,687,316	2,449,314	1,606,082	11,363	2,447,806	26,064,401	12,163,824	33,225,932	7,067,167	784,710	529,507,915	117,012,117	226,494,639	9,103,069	(6) 3,590,077	94,462,180	3,653,902	75,191,931	529,507,915
St. Johns River Terminal Company	2,145,614				2,566	1,417		170,222	3,820	2,214	2,325,853	100,000	1,878,642	114,539	(7) 2,177	48,824	55,602	126,069	2,325,853
St. Louis-San Francisco Railway Company	408,268,666			113,152	603,563	23,577,603	11,529,904	14,881,100	1,149,087	1,021,366	461,144,441	114,701,526	233,237,102	136,846,447	(8) 875,936	49,171,421	1,318,119	*75,006,110	461,144,441
Seaboard Air Line Railway Company	252,337,044	1,570,065		82,302	3,582,848	28,712,643	1,769,764	10,600,325	702,664	1,175,744	300,533,399	85,110,662	143,741,581	108,179,902	(9) 878,052	33,316,981	915,147	*71,608,926	300,533,399
Tampa Northern Railroad Company	2,471,315					11,160	3,675	836,250	2,020	43,409	3,367,829	750,000	1,710,222	1,699,917		11,418	45,136	*1,105,811	3,367,829
Tampa Union Station Company	277,559							19,080	1	877	297,497	30,000	251,270	8,590		3,608		4,029	297,497
Tavares & Gulf Railroad Company	758,631				408	398		121,756	648	2,003	883,844	298,200	425,000	25,738		36,730	3,770	94,406	883,844
The Marianna & Blountstown Railroad Company	243,594					1,500		11,661		13,168	269,923	120,000	219,314	2,816		25,164	1,127	*98,498	269,923
The South Georgia Railway Company	647,904				17,382	725	25,931	46,360		248	738,550	637,000		2,627		108,441		*9,518	738,550
Trans Florida Central Railroad Company	97,761							558			98,319	120,163		2,200		4,583		*28,627	98,319
Total	\$1,506,942,037	\$ 4,648,519	\$ 1,606,082	\$ 482,266	\$ 9,288,103	\$158,738,630	\$ 27,856,632	\$ 82,991,607	\$ 56,500,553	\$ 8,467,348	\$1,847,521,777	\$463,649,798	\$842,472,130	\$295,171,189	\$ 55,192,633	\$228,267,795	\$ 13,394,612	\$*40,626,380	\$1,857,521,777

Asterisk indicates debit item or deficit.

- (1) Includes \$789,365 Grants in aid of construction.
- (2) Includes 77,723 Grants in aid of construction.
- (3) Includes 3,142 Grants in aid of construction.
- (4) Includes 3,137 Grants in aid of construction.
- (5) Includes 53 Grants in aid of construction.
- (6) Includes 529,407 Grants in aid of construction.
- (7) Includes 464 Grants in aid of construction.
- (8) Includes 697,468 Grants in aid of construction.
- (9) Includes 13,889 Grants in aid of construction.

STATISTICS OF RAILROAD COMPANIES—CALENDAR YEAR 1938
PROFIT AND LOSS ACCOUNT—ENTIRE LINE

NAME OF ROAD	Balance at Beginning of Year	Balance Transferred from Income	Miscellaneous and Other Credits	Appropriations of Surplus	Miscellaneous and Other Debits	Balance at Close of Year
Alabama, Florida & Gulf Railroad.....	\$ 472	\$ *128	\$	\$	\$	\$ 344
Alabama & Western Florida Railroad Company.....	*39,338	*5,160	.....	.....	.....	*44,498
Apalachicola Northern Railroad Company.....	*2,510,075	*165,935	2,781	.....	27,088	*2,700,317
Atlanta & St. Andrews Bay Railway Company.....	380,988	178,941	963	532	24,121	536,239
Atlantic Coast Line Railroad Company.....	80,473,941	*1,889,645	45,093	253,785	97,761	78,277,843
Florida East Coast Railway Company.....	*34,242,743	*1,965,697	23,190	374	1,211,685	*37,397,309
Georgia & Florida Railroad.....	*6,582,599	*717,097	2,359	783	24,783	7,322,903
Georgia Southern & Florida Railway Company.....	1,772,608	*266,652	2,433	*13,075	5,850	1,515,614
Jacksonville, Gainesville & Gulf Railway.....	*331,941	*36,371	.....	.....	5	*368,310
Jacksonville Terminal Company.....	221,918	.....	.....	.....	2,318	219,600
Live Oak, Perry & Gulf Railroad Company.....	*907,779	52,057	1,190	.....	47,089	*901,621
Louisville & Nashville Railroad Company.....	77,825,253	2,706,016	164,493	4,843,241	660,590	75,191,931
St. Johns River Terminal Company.....	94,464	31,596	40	.....	31	126,069
St. Louis-San Francisco Railway Company.....	*62,557,985	*11,474,772	95,821	34,090	1,035,084	*75,006,110
Seaboard Air Line Railway Company.....	*63,490,507	*7,590,161	90,556	41,178	577,636	*71,608,926
Tampa Northern Railroad Company.....	*1,144,358	38,614	.....	.....	67	*1,105,811
Tampa Union Station Company.....	2,868	1,200	2	.....	41	4,029
Tavares & Gulf Railroad Company.....	*9,976	27,254	82,801	3,587	2,086	94,406
The Marianna & Blountstown Railroad Company.....	*63,300	*4,080	4,400	.....	35,518	*98,498
The South Georgia Railway Company.....	*15,803	3,153	3,132	.....	.....	*9,518
Trans-Florida Central Railroad Company.....	*27,685	*975	33	.....	.....	*28,627
Total.....	\$ *11,151,577	\$ *21,077,842	\$ 519,287	\$ 5,164,495	\$ 3,751,753	\$ *40,626,380

Asterisk indicates debit item or deficit.

STATISTICS OF RAILROAD COMPANIES—CALENDAR YEAR 1938
OPERATING REVENUES—ENTIRE LINE

NAME OF ROAD	Freight	Passenger	Excess Baggage	Mail	Express	Switching	All Other	Total Revenue
Alabama, Florida & Gulf Railroad.....	\$ 14,760	\$ 46	\$-----	\$ 3,262	\$ 111	\$-----	\$ 9	\$ 18,188
Alabama & Western Florida Railroad Company.....	13,791	25	-----	2,138	-----	107	4	16,065
Apalachicola Northern Railroad Company.....	248,485	4,483	-----	18,083	4,167	3,162	15,191	293,571
Atlanta & St. Andrews Bay Railway Company.....	798,905	3,871	18	14,776	5,437	5,091	4,877	832,975
Atlantic Coast Line Railroad Company.....	32,410,476	6,916,346	37,188	1,358,323	1,448,737	294,770	1,698,185	44,164,025
Florida East Coast Railway Company.....	6,115,901	2,470,335	16,847	297,938	313,165	10,965	369,240	9,594,391
Georgia & Florida Railroad.....	1,043,414	23,874	15	26,457	6,269	4,507	6,529	1,111,065
Georgia Southern & Florida Railway Company.....	1,353,733	464,129	1,240	135,883	28,659	2,925	74,538	2,061,107
Jacksonville, Gainesville & Gulf Railway.....	22,464	-----	-----	-----	60	14,373	486	37,383
Jacksonville Terminal Company.....	(a)	-----	-----	-----	-----	-----	-----	-----
Live Oak, Perry & Gulf Railroad Company.....	206,371	3,588	-----	8,689	1,376	269	2,068	222,361
Louisville & Nashville Railroad Company.....	67,605,607	6,199,037	28,070	2,008,217	1,503,147	775,088	1,275,394	79,394,560
St. Johns River Terminal Company.....	-----	-----	-----	-----	-----	339,477	5,164	344,641
St. Louis-San Francisco Railway Company.....	35,991,748	3,310,600	13,686	1,293,300	647,853	995,288	774,982	43,027,457
Seaboard Air Line Railway Company.....	31,004,975	4,948,880	23,557	1,195,534	1,103,983	347,087	1,385,728	40,009,744
Tampa Northern Railroad Company.....	-----	-----	-----	-----	-----	76,354	-----	76,354
Tampa Union Station Company.....	(a)	-----	-----	-----	-----	-----	-----	-----
Tavares & Gulf Railroad Company.....	123,610	2	-----	-----	711	272	214	124,809
The Marianna & Blountstown Railroad Company.....	47,571	-----	-----	2,538	1,140	115	133	51,497
The South Georgia Railway Company.....	101,255	2,591	-----	9,806	448	659	-807	115,566
Trans-Florida Central Railroad Company.....	2,586	35	-----	1,200	-----	-----	2,043	5,864
Total.....	\$177,105,652	\$ 24,347,842	\$ 120,621	\$6,376,144	\$5,065,263	\$2,870,509	\$5,615,592	\$221,501,623

(a)—Indicates not applicable.

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1937
INCOME ACCOUNT — ENTIRE LINE

NAME OF ROAD	Railway Operating Revenues	Railway Operating Expenses	Net Revenue from Railway Operations	Railway Tax Accruals	Railway Operating Income	Net Rents	Net Railway Operating Income	Other Income	Total Income	Miscellaneous Deductions from Income	Income Avail- able for Fixed Charges	Fixed Charges	Contingent Charges	Net Income	Income Applied to Funds and Appropriated for Other Purposes	Income Balance Transferred to Profit & Loss
Alabama, Florida & Gulf Railroad.....	\$ 18,188	\$ 14,126	\$ 4,062	\$ 1,451	\$ 2,611	\$ *1,485	\$ 1,126	\$-----	\$ 1,126	\$ 1,231	\$ *105	\$ 23	\$-----	\$ *128	\$-----	\$ *128
Alabama & Western Florida Railroad Company.....	16,065	16,389	*324	2,790	*3,114	*516	*3,630	-----	*3,630	-----	*3,630	1,530	-----	*5,160	-----	*5,160
Apalachicola Northern Railroad Company.....	293,571	404,790	*111,219	21,346	*132,565	*31,917	*164,482	-----	*164,482	112	*164,594	1,341	-----	165,935	-----	165,935
Atlanta & St. Andrews Bay Railway Company.....	832,975	410,930	422,045	83,122	338,923	*49,036	289,887	5,420	295,307	519	294,788	85,852	-----	208,936	29,995	178,941
Atlantic Coast Line Railroad Company.....	44,164,025	35,491,788	8,672,237	4,625,000	4,047,237	*1,656,486	2,390,751	3,249,576	5,640,327	1,048,240	4,592,087	6,445,133	5,404	*1,858,450	31,195	*1,889,645
Florida East Coast Railway Company.....	9,594,391	7,002,599	2,591,792	916,199	1,675,593	*646,101	1,029,492	87,888	1,117,380	137,319	980,061	2,945,587	-----	*1,965,526	171	*1,965,697
Georgia & Florida Railroad.....	1,111,065	1,040,332	70,733	84,619	*13,886	*21,642	*35,528	17,358	*18,170	2,297	*20,467	696,630	-----	*717,097	-----	*717,097
Georgia Southern & Florida Railway Company.....	2,061,107	1,810,942	250,165	186,285	63,880	*34,091	29,789	7,575	37,364	2,716	34,648	301,300	-----	*266,652	-----	*266,652
Jacksonville, Gainesville & Gulf Railway.....	37,383	35,236	2,147	5,795	*3,648	*1,569	*5,217	600	*4,617	13	*4,630	31,741	-----	*36,371	-----	*36,371
Jacksonville Terminal Company.....	-----	-----	-----	122,392	*122,392	322,480	200,088	29,574	229,662	8,016	221,646	221,646	-----	-----	-----	-----
Live Oak, Perry & Gulf Railroad Company.....	222,361	139,424	82,937	21,474	61,463	1,867	63,330	959	64,289	392	63,897	11,840	-----	52,057	-----	52,057
Louisville & Nashville Railroad Company.....	79,394,560	61,008,799	18,385,761	7,114,734	11,271,027	351,944	11,622,971	877,387	12,500,358	310,705	12,189,653	9,483,637	-----	2,706,016	-----	2,706,016
St. Johns River Terminal Company.....	344,641	237,830	106,811	47,789	59,022	*7,276	51,746	62,619	114,365	113	114,252	82,656	-----	31,596	-----	31,596
St. Louis-San Francisco Railway Company.....	43,027,457	38,136,138	4,891,319	3,749,727	1,142,092	50,458	1,192,550	168,070	1,360,620	40,884	1,319,736	12,794,508	-----	*11,474,772	-----	*11,474,772
Seaboard Air Line Railway Company.....	40,009,744	34,183,527	5,826,217	3,311,956	2,514,261	*1,064,774	1,449,487	315,237	1,764,724	24,861	1,739,863	9,330,024	-----	*7,590,161	-----	*7,590,161
Tampa Northern Railroad Company.....	76,354	29,414	46,940	13,538	33,402	*6,513	26,889	106,085	132,974	1,259	131,715	93,101	-----	38,614	-----	38,614
Tampa Union Station Company.....	-----	-----	-----	10,838	*10,838	22,649	11,811	2,335	14,146	153	13,993	12,793	-----	1,200	-----	1,200
Tavares & Gulf Railroad Company.....	124,809	71,602	53,207	8,306	44,901	*5,798	39,103	1,193	40,296	244	40,052	12,798	-----	27,254	-----	27,254
The Marianna & Blountstown Railroad Company.....	51,497	35,679	15,818	3,446	12,372	*2,404	9,968	185	10,153	-----	10,153	14,233	-----	*4,080	-----	*4,080
The South Georgia Railway Company.....	115,566	82,561	33,005	14,418	18,587	*6,405	12,182	1,642	13,824	-----	13,824	10,671	-----	3,153	-----	3,153
Trans Florida Central Railroad Company.....	5,864	5,474	390	1,365	*975	-----	*975	-----	*975	-----	*975	-----	-----	*975	-----	*975
Total.....	\$221,501,623	\$180,157,580	\$ 41,344,043	\$ 20,346,090	\$ 20,997,953	\$ *2,786,615	\$ 18,211,338	\$ 4,933,703	\$ 23,145,041	\$ 1,579,074	\$ 21,565,967	\$ 42,577,044	\$ 5,404	\$*21,016,481	\$ 61,361	\$*21,077,842

* Indicates debit item or deficit.

STATISTICS OF RAILROAD COMPANIES—CALENDAR YEAR 1938
OPERATING EXPENSES—ENTIRE LINE

NAME OF ROAD	Maintenance of Way and Structures	Maintenance of Equipment	Traffic Expenses	Transporta- tion Expenses	Miscellaneous Operations	General Expenses	Transporta- tion for Investment Credit	Total Operating Expenses
Alabama, Florida & Gulf Railroad.....	\$ 4,096	\$ 2,008	\$ 851	\$ 3,943	\$-----	\$ 3,228	\$-----	\$ 14,126
Alabama & Western Florida Railroad Company.....	5,002	1,860	152	5,604	-----	3,771	-----	16,398
Apalachicola Northern Railroad Company.....	195,765	44,222	6,996	125,290	-----	32,517	-----	404,790
Atlanta & St. Andrews Bay Railway Company.....	99,142	66,582	45,590	160,888	-----	39,831	1,103	410,930
Atlantic Coast Line Railroad Company.....	5,307,320	8,365,879	1,801,894	17,962,980	542,550	1,644,409	133,244	35,491,788
Florida East Coast Railway Company.....	1,177,996	1,754,377	272,159	3,169,291	186,895	473,889	32,008	7,002,599
Georgia & Florida Railroad.....	241,110	213,157	99,796	423,668	-----	63,306	705	1,040,332
Georgia Southern & Florida Railway Company.....	-----	427,780	21,246	924,281	52,900	31,308	4	1,810,942
Jacksonville, Gainesville & Gulf Railway.....	10,216	5,511	915	15,214	-----	3,380	-----	35,236
Jacksonville, Terminal Company.....	(a)	-----	-----	-----	-----	-----	-----	-----
Live Oak, Perry & Gulf Railroad Company.....	51,822	17,794	5,985	48,325	-----	15,498	-----	139,424
Louisville & Nashville Railroad Company.....	8,496,255	17,740,449	2,191,370	29,345,559	449,469	2,804,752	19,055	61,008,799
St. Johns River Terminal Company.....	32,646	20,152	-----	180,605	-----	4,427	-----	237,830
St. Louis-San Francisco Railway Company.....	6,941,452	10,559,705	1,385,016	17,141,957	399,114	1,884,428	175,534	38,136,138
Seaboard Air Line Railway Company.....	6,127,495	8,189,832	2,015,152	15,625,399	569,285	1,728,458	72,094	34,183,527
Tampa Northern Railroad Company.....	7,557	1,599	865	16,754	-----	2,639	-----	29,414
Tampa Union Station Company.....	(a)	-----	-----	-----	-----	-----	-----	-----
Tavares & Gulf Railroad Company.....	16,579	7,871	1,930	38,455	-----	6,767	-----	71,602
The Marianna & Blountstown Railroad Company.....	9,856	6,068	2,757	13,022	-----	3,976	-----	35,679
The South Georgia Railway Company.....	27,518	12,400	3,417	31,282	-----	7,944	-----	82,561
Trans Florida Central Railroad Company.....	2,192	111	-----	1,717	-----	1,454	-----	5,474
Total.....	\$ 29,107,450	\$ 47,437,357	\$ 7,856,091	\$ 85,234,234	\$ 2,200,213	\$ 8,755,982	\$ 433,747	\$ 180,157,580

(a)—Indicates not applicable.

STATISTICS OF RAILROAD COMPANIES—CALENDAR YEAR 1938
MILEAGE OPERATED—ENTIRE LINE

NAME OF ROAD	Miles of Road	Miles of Second Main Track	Miles of Passing Tracks, Cross-Overs & Turn-Outs	Miles of Way Switching Tracks	Miles of Yard Switching Tracks	Total
Alabama, Florida & Gulf Railroad.....	29.00				1.07	30.07
Alabama & Western Florida Railroad Company.....	38.00			3.92		41.92
Apalachicola Northern Railroad Company.....	59.12			11.64		110.76
Atlanta & St. Andrew Bay Railway Company.....	82.00			6.82	16.42	105.24
Atlantic Coast Line Railroad Company.....	5,107.97	688.89	341.60	387.73	799.81	7,326.00
Florida East Coast Railway Company.....	684.92	326.82	170.24	71.07	182.70	1,435.75
Georgia & Florida Railroad.....	407.88		9.41	51.55	9.01	477.85
Georgia Southern & Florida Railway Company.....	397.95	8.64	40.89	31.92	78.39	557.79
Jacksonville, Gainesville & Gulf Railway.....	38.25		4.33	2.59		45.17
Jacksonville Terminal Company.....	7.22				44.28	51.50
Live Oak, Perry & Gulf Railroad Company.....	77.00			9.56		86.56
Louisville & Nashville Railroad Company.....	4,925.29	(2) 563.11	755.18	705.48	1,247.70	8,196.76
St. Johns River Terminal Company.....					54.65	54.65
St. Louis-San Francisco Railway Company.....	4,843.24	140.44	584.04	561.54	656.20	6,785.46
Seaboard Air Line Railway Company.....	4,317.28	63.60	531.06	474.52	429.48	5,815.94
Tampa Northern Railroad Company.....					2.72	2.72
Tampa Union Station Company.....	(1)					
Tavares & Gulf Railroad Company.....	37.71		1.91	3.03		42.65
The Marianna & Blountstown Railroad Company.....	29.00				4.75	33.75
The South Georgia Railway Company.....	77.48			11.62		89.10
Trans Florida Central Railroad Company.....	10.79				2.01	12.80
Total.....	21,210.10	1,791.50	2,438.66	2,332.99	3,529.19	31,302.44

(1)—Tracks operated jointly by railroads entering Tampa.

(2)—Includes 2.05 miles of all other main tracks.

STATISTICS OF RAILROAD COMPANIES—CALENDAR YEAR 1938
RAIL-LINE OPERATIONS—ENTIRE LINE

NAME OF ROAD	Total Revenue Passengers Carried	Average Miles Passengers Carried	Average Revenue Per Passenger Carried	Total Tons Revenue Freight Hauled	Average Miles Per Ton Hauled	Average Revenue per Ton Hauled
Alabama, Florida & Gulf Railroad.....	\$ 170	14.85	\$.27	8,934	22.87	\$ 1.65
Alabama & Western Florida Railroad Company.....	53	23.66	.47	36,128	25.80	.38
Apalachicola Northern Railroad Company.....	9,537	26.35	.47	391,209	89.78	.64
Atlanta & St. Andrews Bay Railway Company.....	6,945	42.85	.56	957,488	67.07	.83
Atlantic Coast Line Railroad Company.....	1,522,950	210.84	4.54	13,540,570	169.85	2.39
Florida East Coast Railway Company.....	394,326	275.79	6.26	1,422,692	236.81	4.30
Georgia & Florida Railroad.....	41,458	29.84	.58	812,372	103.56	1.28
Georgia Southern & Florida Railway Company.....	121,812	170.70	3.81	865,428	165.66	1.56
Jacksonville, Gainesville & Gulf Railway.....	2	7.50	.15	13,080	24.07	1.72
Jacksonville Terminal Company.....	(a)					
Live Oak, Perry & Gulf Railroad Company.....	8,318	22.22	.43	188,139	38.00	1.09
Louisville & Nashville Railroad.....	2,916,960	106.62	2.13	36,912,679	226.12	1.83
St. Johns River Terminal Company.....	(a)					
St. Louis-San Francisco Railway Company.....	1,129,047	143.64	2.93	14,427,272	233.96	2.49
Seaboard Air Line Railway Company.....	1,248,216	192.85	3.96	14,672,400	183.40	2.11
Tampa Northern Railroad Company.....	(a)					
Tampa Union Station Company.....	(a)					
Tavares & Gulf Railroad Company.....	11	9.00	.18	69,962	28.56	1.77
The Marianna & Blountstown Railroad Company.....				67,330	26.83	.71
The South Georgia Railway Company.....	8,429	14.50	.31	112,951	33.00	.90
Trans Florida Central Railroad Company.....	160	10.79	.22	2,157	10.79	1.19

a)-Indicates not applicable.

STATISTICS OF RAILROAD COMPANIES—CALENDAR YEAR 1938
INVESTMENT IN ROAD AND EQUIPMENT—STATE OF FLORIDA

NAME OF ROAD	Miles of Road Owned Florida	Investment in Road	Investment in Equipment	Other Investments	Total Investment
Alabama, Florida & Gulf Railroad.....	9.91	\$ 2,859	\$ 175	\$ 10	\$ 3,044
Alabama & Western Florida Railroad Company.....	19.25	129,527	5,994	6,223	141,744
Apalachicola Northern Railroad Company.....	58.68	2,824,548	182,201		3,006,749
Atlanta & St. Andrews Bay Railway Company.....	66.00	1,635,328	190,906		1,826,234
Atlantic Coast Line Railroad Company.....	1,853.02	74,264,685	19,852,695	93,133	94,210,513
Florida East Coast Railway Company.....	679.02	66,454,138	12,820,664	1,269,347	80,544,149
Georgia & Florida Railroad.....	12.71	170,059	43,909	*178	213,790
Georgia Southern & Florida Railway Company.....	158.27	4,137,242	1,020,581	1,359	5,159,182
Jacksonville, Gainesville & Gulf Railway.....	38.25	383,447	16,066	4,799	404,312
Jacksonville Terminal Company.....	40.76	4,275,485	231,294	182,297	4,689,076
Live Oak, Perry & Gulf Railroad Company.....	76.00	1,382,667	61,086		1,443,753
Louisville & Nashville Railroad Company.....	241.79	7,710,595	2,804,498	7,593	10,522,686
St. Johns River Terminal Company.....	40.89	2,092,470	53,144		2,145,614
St. Louis-San Francisco Railway Company.....	47.53	2,905,083	365,781	14,357	3,285,221
Seaboard Air Line Railway Company.....	917.76	51,349,209	14,804,946	153,932	66,308,087
Tampa Northern Railroad Company.....	49.47	2,348,859		122,456	2,471,315
Tampa Union Station Company.....	1.72	259,958		17,601	277,559
Tavares & Gulf Railroad Company.....	34.32	675,046	45,255	38,330	758,631
The Marianna & Blountstown Railroad Company.....	29.00	218,969	24,650	*25	243,594
The South Georgia Railway Company.....	40.49	289,366	31,711	2,905	323,982
Trans Florida Central Railroad Company.....	16.04	92,946	1,055	3,760	97,761
Total.....	4,470.88	\$223,602,486	\$ 52,556,611	\$ 1,917,899	\$278,076,996

Asterisk indicates credit item.

STATISTICS OF RAILROAD COMPANIES—CALENDAR YEAR 1938
OPERATING REVENUES—STATE OF FLORIDA

NAME OF ROAD	Freight	Passenger	Excess Baggage	Mail	Express	Switching	All Other	Total Revenue
Alabama, Florida & Gulf Railroad.....	\$ 3,867	\$ 11	\$	\$ 1,116	\$ 38	\$	\$ 2	\$ 5,034
Alabama & Western Florida Railroad Company.....	13,791	25	.....	2,138	.....	107	4	16,065
Apalachicola Northern Railroad Company.....	248,485	4,483	.....	18,083	4,167	3,162	15,191	293,571
Atlanta & St. Andrews Bay Railway Company.....	677,392	3,308	14	11,883	4,377	4,133	4,795	705,902
Atlantic Coast Line Railroad Company.....	7,850,093	1,131,471	9,337	310,057	594,972	74,784	780,393	10,751,107
Florida East Coast Railway Company.....	6,115,901	2,470,335	16,847	297,938	313,165	10,965	369,240	9,594,391
Georgia & Florida Railroad.....	9,372	484	.....	355	102	81	163	10,557
Georgia Southern & Florida Railway Company.....	191,433	94,434	236	26,443	5,255	96	18,827	336,724
Jacksonville, Gainesville & Gulf Railway.....	22,464	.....	.....	.....	60	14,373	486	37,383
Jacksonville Terminal Company.....	(a)	.....	.....	.....	.....	.....	.....	.....
Live Oak, Perry & Gulf Railroad Company.....	206,371	3,588	.....	8,689	1,376	269	2,068	222,361
Louisville & Nashville Railroad Company.....	962,328	174,286	836	51,519	42,065	22,940	230,037	1,484,011
St. Johns River Terminal Company.....	.....	.....	.....	.....	.....	339,477	5,164	344,641
St. Louis-San Francisco.....	96,462	5,881	100	3,552	1,775	28,151	14,664	150,585
Seaboard Air Line Railway Company.....	8,817,306	1,645,650	9,206	297,631	431,437	108,740	862,897	12,172,867
Tampa Northern Railroad Company.....	.....	.....	.....	.....	.....	76,354	.....	76,354
Tampa Union Station Company.....	(a)	.....	.....	.....	.....	.....	.....	.....
Tavares & Gulf Railroad Company.....	123,610	2	.....	.....	711	272	214	124,809
The Marianna & Blountstown Railroad Company.....	47,571	.....	.....	2,538	1,140	115	133	51,497
The South Georgia Railway Company.....	50,616	997	.....	5,238	244	551	491	58,137
Trans Florida Central Railroad Company.....	2,586	35	.....	1,200	.....	.....	2,043	5,864
Total.....	\$ 25,439,648	\$5,534,990	\$ 36,576	\$1,038,380	\$1,400,884	\$ 684,570	\$2,306,812	\$ 36,441,860

(a)—Not applicable.

STATISTICS OF RAILROAD COMPANIES—CALENDAR YEAR 1938
OPERATING EXPENSES—STATE OF FLORIDA

NAME OF ROAD	Maintenance of Way & Structures	Maintenance of Equipment	Traffic Expenses	Transportation Expenses	Miscellaneous Operations	General Expenses	Transportation for Investment —Credit	Total Operating Expenses
Alabama, Florida & Gulf Railroad.....	\$ 1,401	\$ 687	\$ 291	\$ 1,348	\$-----	\$ 1,104	\$-----	\$ 4,831
Alabama & Western Florida Railroad Company.....	5,002	1,860	152	5,604	-----	3,771	-----	16,389
Apalachicola Northern Railroad Company.....	195,765	44,222	6,996	125,290	-----	32,517	-----	404,790
Atlanta & St. Andrews Bay Railway Company.....	79,799	53,592	36,695	129,499	-----	32,060	888	330,757
Atlantic Coast Line Railroad Company.....	1,269,761	1,995,105	435,640	4,307,875	114,234	399,212	33,825	8,488,002
Florida East Coast Railway Company.....	1,177,996	1,754,377	272,159	3,169,291	186,895	473,889	32,008	7,002,599
Georgia & Florida Railroad.....	7,424	3,336	716	10,309	-----	1,337	21	23,101
Georgia Southern & Florida Railway Company.....	107,087	71,876	3,943	224,627	11,358	7,876	-----	426,767
Jacksonville, Gainesville & Gulf Railway.....	10,216	5,511	915	15,214	-----	3,380	-----	35,236
Jacksonville Terminal Company.....	(a)	-----	-----	-----	-----	-----	-----	-----
Live Oak, Perry & Gulf Railroad Company.....	51,822	17,794	5,985	48,325	-----	15,498	-----	139,424
Louisville & Nashville Railroad Company.....	305,539	404,787	42,842	856,127	22,269	76,541	235	1,707,870
St. Johns River Terminal Company.....	32,646	20,152	-----	180,605	-----	4,427	-----	237,830
St. Louis-San Francisco Railway Company.....	54,012	42,021	4,047	136,241	24	11,866	2,067	246,144
Seaboard Air Line Railway Company.....	1,864,278	2,491,740	613,106	4,753,997	173,204	525,880	21,935	10,400,270
Tampa Northern Railroad Company.....	7,557	1,599	865	16,754	-----	2,639	-----	29,414
Tampa Union Station Company.....	(a)	-----	-----	-----	-----	-----	-----	-----
Tavares & Gulf Railroad Company.....	16,579	7,871	1,930	38,455	-----	6,767	-----	71,602
The Marianna & Blountstown Railroad Company.....	9,856	6,068	2,757	13,022	-----	3,976	-----	35,679
The South Georgia Railway Company.....	3,702	1,760	466	4,086	-----	1,031	-----	11,045
Trans Florida Central Railroad Company.....	2,192	111	-----	1,717	-----	1,454	-----	5,474
Total.....	\$ 5,202,634	\$ 6,924,469	\$1,429,505	\$ 14,038,386	\$ 507,984	\$1,605,225	\$ 90,979	\$ 29,617,224

(a)—Not applicable

STATISTICS OF RAILROAD COMPANIES—CALENDAR YEAR 1938
MILEAGE OPERATED (Exclusive of Yard Tracks)—STATE OF FLORIDA

NAME OF ROAD	Line Owned Main Line	Line Owned Branches and Spurs	Lines of Proprietary Companies	Lines Operated under Lease	Lines Operated under Contract	Lines Operated under Track- age Rights	Total Mileage Operated	New Lines Constructed During Year
Alabama, Florida & Gulf Railroad.....	9.91						9.91	
Alabama & Western Florida Railroad Company.....	19.25			18.75			38.00	
Apalachicola Northern Railroad Company.....	96.06	3.06				.44	99.56	
Atlanta & St. Andrews Bay Railway Company.....	66.00						66.00	
Atlantic Coast Line Railroad Company.....	1,081.18	766.21	161.73	14.75		9.85	2,033.72	3.09
Florida East Coast Railway Company.....	426.00	253.02			5.11	.79	684.92	
Georgia & Florida Railroad.....	12.71						12.71	
Georgia Southern & Florida Railway Company.....	152.90					5.37	158.27	
Jacksonville, Gainesville & Gulf Railway.....	38.25						38.25	
Jacksonville Terminal Company.....	39.98					11.52	51.50	
Live Oak, Perry & Gulf Railroad Company.....	64.00	12.00				1.00	77.00	
Louisville & Nashville Railroad Company.....	204.71	37.08				.58	242.77	
St. Johns River Terminal Company.....	37.84					16.81	54.65	
St. Louis-San Francisco Railway Company.....	45.19	2.34					47.53	
Seaboard Air Line Railway Company.....	877.33	37.73	140.30	625.49		6.52	1,687.37	
Tampa Northern Railroad Company.....	2.72						2.72	
Tampa Union Station Company..... (1)								
Tavares & Gulf Railroad Company.....	34.32					3.39	37.71	
The Marianna & Blountstown Railroad Company.....	29.00						29.00	
The South Georgia Railway Company.....	40.49						40.49	
Trans Florida Central Railroad Company.....	10.68					.11	10.79	
Total.....	\$3,288.52	\$ 1,111.44	\$ 302.03	\$ 658.99	\$ 5.11	\$ 56.78	\$5,422.87	\$ 3.09

(1)—Tracks operated jointly by railroad entering Tampa.

STATISTICS OF RAILROAD COMPANIES—CALENDAR YEAR 1938
TONS OF REVENUE FREIGHT CARRIED—STATE OF FLORIDA

NAME OF ROAD	Products of Agriculture	Animals and Products	Products of Mines	Products of Forests	Manufactures and Miscellaneous	Merchandise All L.C.L. Freight	Grand Total
Alabama, Florida & Gulf Railroad.....	5,408		45		269	152	5,874
Alabama & Western Florida Railroad Company.....			6,566	29,081	395	86	36,128
Apalachicola Northern Railroad Company.....	97	30	11,903	321,808	53,992	3,379	391,209
Atlanta & St. Andrews Bay Railway Company.....	10,252	85	15,744	588,940	335,400	4,040	954,461
Atlantic Coast Line Railroad Company.....	947,327	58,386	2,760,924	894,957	1,251,384	118,023	6,031,001
Florida East Coast Railway Company.....	335,613	45,044	182,976	236,669	563,687	58,703	1,422,692
Georgia & Florida Railroad.....	2,757	1,048	5,279	8,316	16,788	1,423	35,611
Georgia Southern & Florida Railway Company.....	47,271	20,244	94,634	58,898	183,805	17,488	422,340
Jacksonville, Gainesville & Gulf Railway.....	4,101	181	3,595	4,394	693	116	13,080
Jacksonville Terminal Company.....	(a)						
Live Oak, Perry & Gulf Railroad Company.....	7,393		5,979	156,313	16,150	2,304	188,139
Louisville & Nashville Railroad Company.....	51,820	9,123	117,914	453,012	348,216	19,825	999,910
St. Johns River Terminal Company.....	(a)						
St. Louis-San Francisco Railway Company.....	21,242	1,846	59,187	60,834	70,040	3,240	216,389
Seaboard Air Line Railway Company.....	720,047	55,132	3,725,826	942,791	989,993	120,378	6,554,167
Tampa Northern Railroad Company.....	(a)						
Tampa Union Station Company.....	(a)						
Tavares & Gulf Railroad Company.....	58,427		6,27	5,489	5,075	344	69,962
The Marianna & Blountstown Railroad Company.....	135	31	1,872	52,551	11,631	1,110	67,330
The South Georgia Railway Company.....	8,351		2,433	60,903	7,916	392	79,995
Trans Florida Central Railroad Company.....				151	1,867	139	2,157
Total.....	2,220,241	191,150	6,995,504	3,875,107	3,857,301	351,142	17,490,445

(a)—Not applicable

WRECK AND ACCIDENT REPORT—RAILROAD

1939

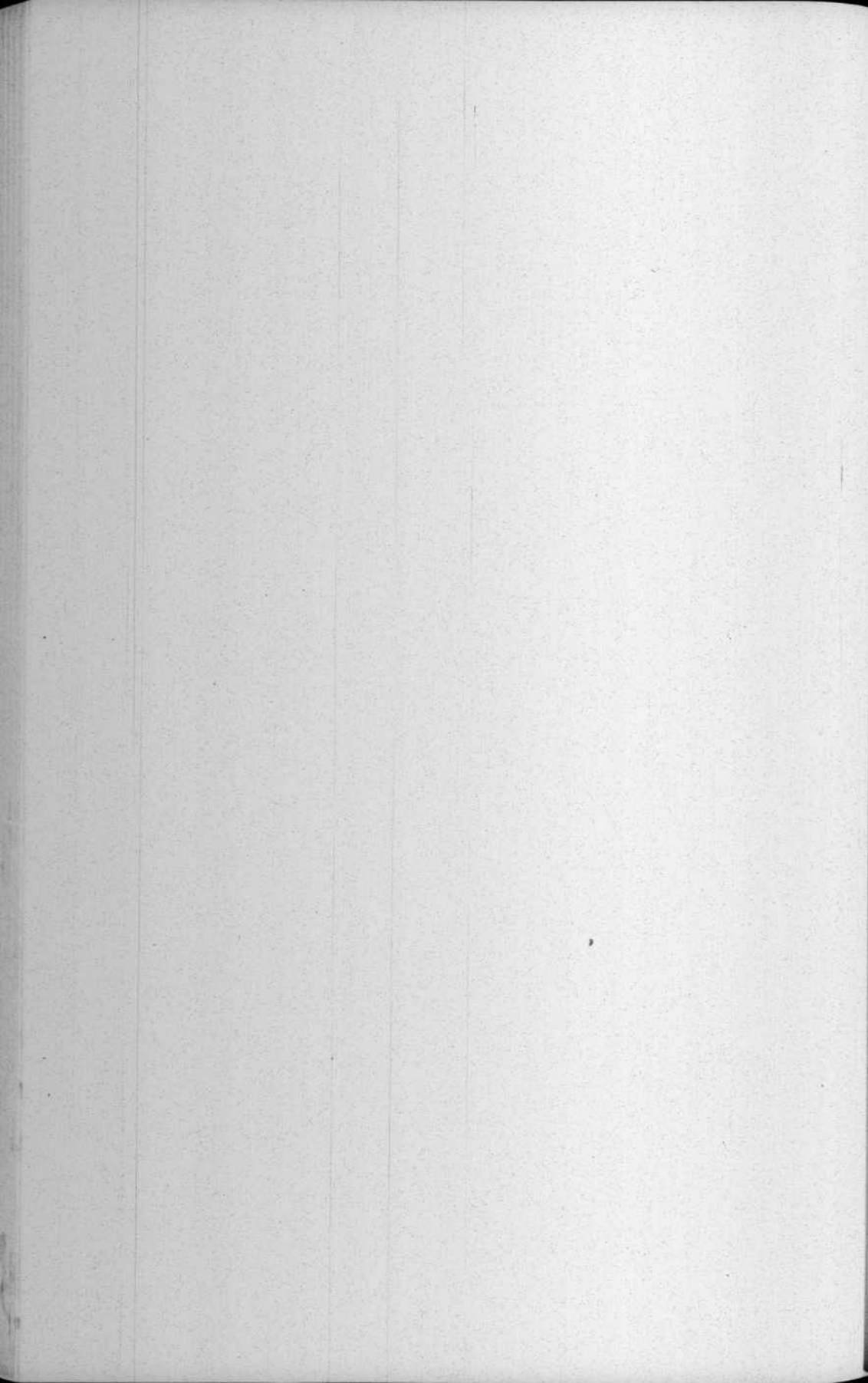
CLASSIFICATION OF WRECKS AND ACCIDENTS	Atlanta and St. Andrews Bay Railway	Atlantic Coast Line Railroad	Florida East Coast Railway	Louisville & Nashville Railroad Co.	Seaboard Air Line Railway	Total
V. PERSONAL ACCIDENTS:						
1. Employees on duty.....		2				
2. Employees off duty.....						
3. Passengers.....					2	2
4. Trespassers—						
a. Walking on track, crossing track.....		1	4	2	7	14
b. At public crossing.....			1		1	2
c. Beating way on train.....		2	6		10	18
d. Suicide.....			1		3	4
e. Other causes.....		6	3		5	14
VI. GRADE CROSSINGS:						
1. Automobile accidents.....	2	13	46		12	61
2. Other vehicle accidents.....		2				2
CASUALTIES:						
Employees killed.....						
Employees wounded.....		3	1		1	5
Others killed.....		7	14	2	25	48
Others wounded.....	4	65	21		30	120
DAMAGE:						
Track.....		\$ 2,307.71	\$ 4,866.72	\$ 142.22	\$ 3,170.00	\$ 10,486.65
Equipment.....		27,727.00	22,528.72	409.35	4,683.20	55,348.27

WRECK AND ACCIDENT REPORT—RAILROAD

1939

CLASSIFICATION OF WRECKS AND ACCIDENTS	Atlanta and St. Andrews Bay Railway	Atlantic Coast Line Railroad	Florida East Coast Railway	Louisville & Nashville Railroad Co.	Seaboard Air Line Railway	Total
I. COLLISIONS:						
1. Negligence or carelessness of employees.....		2	2	1	1	5
2. Weather conditions.....						
3. Mechanical equipment, signals, etc.....						
II. DERAILMENTS:						
1. Negligence or carelessness of employees.....		1	1		4	6
2. Washouts, etc.....						
3. Track defects.....	1	2	2			2
4. Way and structure defects.....						
5. Car equipment defects.....		2	2		2	6
6. Engine equipment defects.....			1			1
7. Not otherwise classified.....		1	2	1		4
III. EXPLOSIONS:						
1. Negligence or carelessness of employees.....						
2. Defective equipment.....						
IV. MISCELLANEOUS:						
1. Improper loading.....						
2. Animal on track.....						
3. Other obstruction on track.....					1	1
4. Criminal intent, tampered switches, etc.....						

Bridge Companies



STATISTICS OF BRIDGE COMPANIES
GENERAL BALANCE SHEET AT DECEMBER 31, 1938

ASSETS	Gandy Bridge Company	Pensacola Bridge Corporation	Tampa- Clearwater Bridge Co.
Investment in road and equipment.....	\$ 3,660,012.64	\$ 1,812,061.31	\$ 711,800.81
Sinking funds.....	180.25	—	—
Miscellaneous physical property.....	163,260.09	483,122.50	—
Other investments.....	—	57,473.16	—
Current assets.....	288,284.86	37,477.21	25,167.88
Rents and insurance premiums paid in advance.....	6,944.47	7,156.43	1,163.57
Discount on funded debt.....	91,474.62	494,025.74	—
Other unadjusted debits.....	1,396,996.50	84,167.65	—
Deferred assets.....	—	—	562.82
Grand Total.....	\$ 5,607,153.43	\$ 2,975,484.00	\$ 738,695.08
LIABILITIES			
Capital stock.....	\$ 2,584,737.50	\$ 600,600.00	\$ 115,000.00
Funded debt.....	1,469,500.00	2,747,500.00	495,000.00
Current liabilities.....	27,473.04	1,599.25	19,176.36
Unadjusted credits.....	988,371.64	552,864.34	93,131.54
Appropriated surplus.....	217,043.64	—	—
Profit and loss.....	320,027.61	* 927,079.59	16,387.18
Grand Total.....	\$ 5,607,153.43	\$ 2,975,484.00	\$ 738,695.08

*—Indicates debit item or deficit.

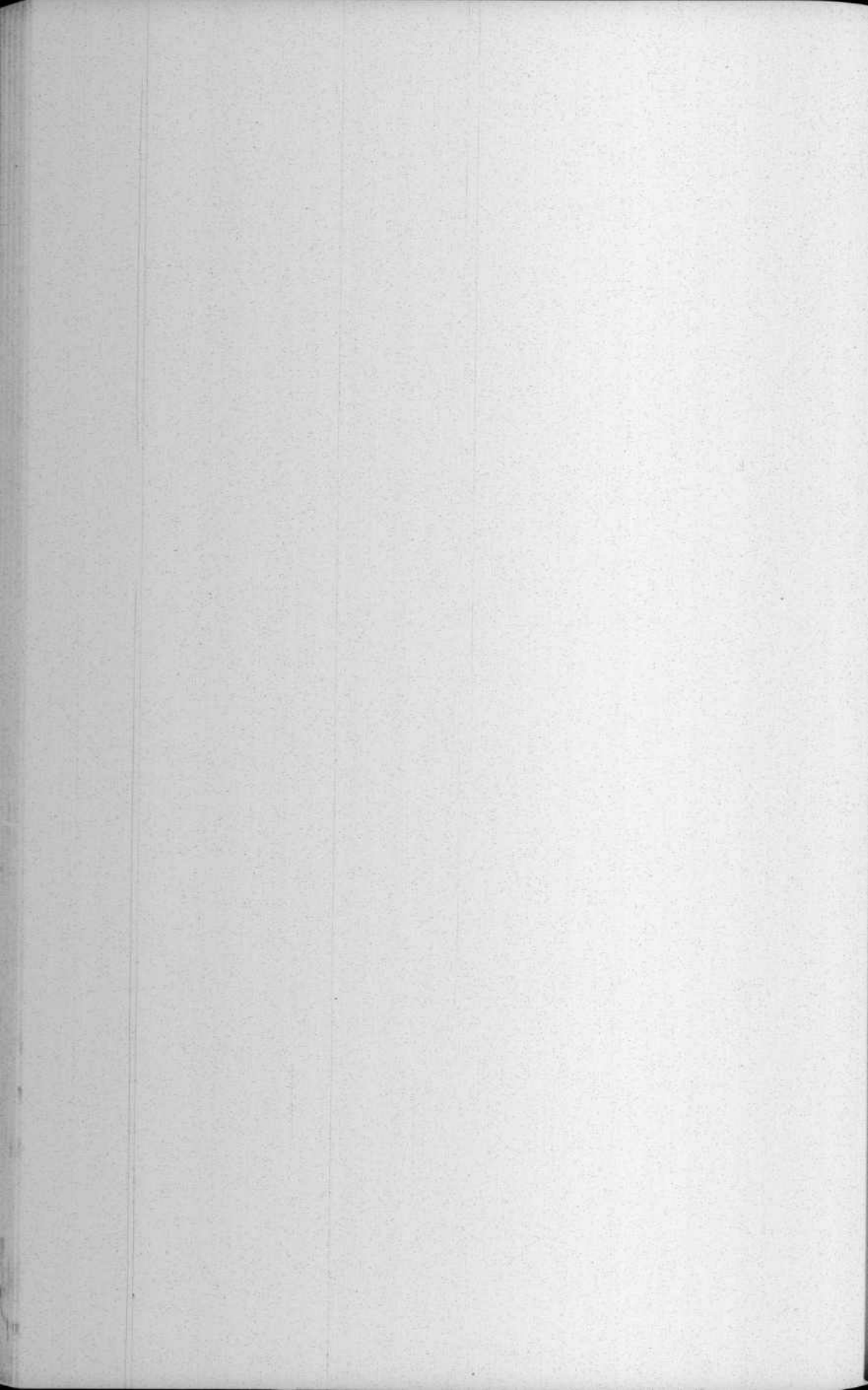
STATISTICS OF BRIDGE COMPANIES
PROFIT AND LOSS ACCOUNT—CALENDAR YEAR 1938

ITEMS	Gandy Bridge Company	Pensacola Bridge Corporation	Tampa- Clearwater Bridge Co.
Credit balance at beginning of year.....	\$ 428,916.35	\$ —	\$ 4,266.63
Credit balance transferred from income.....	98,432.96	—	12,182.52
Miscellaneous credits.....	6,121.55	—	—
Debit balance carried to balance sheet.....	—	927,079.59	—
Total credits.....	\$ 533,470.86	\$ 927,079.59	\$ 16,449.15
Debit balance at beginning of year.....	\$ —	\$ 849,853.52	\$ —
Debit balance transferred from income.....	—	74,849.38	—
Surplus applied to sinking and other reserve funds.....	24,615.65	—	—
Dividend appropriations of surplus.....	50,000.00	—	—
Debits from retired road and equipment.....	—	721.21	—
Delayed income debits.....	—	—	61.97
Miscellaneous debits.....	138,827.60	1,655.48	—
Credit balance carried to balance sheet.....	320,027.61	—	16,387.18
Total Debits.....	\$ 533,470.86	\$ 927,079.59	\$ 16,449.15

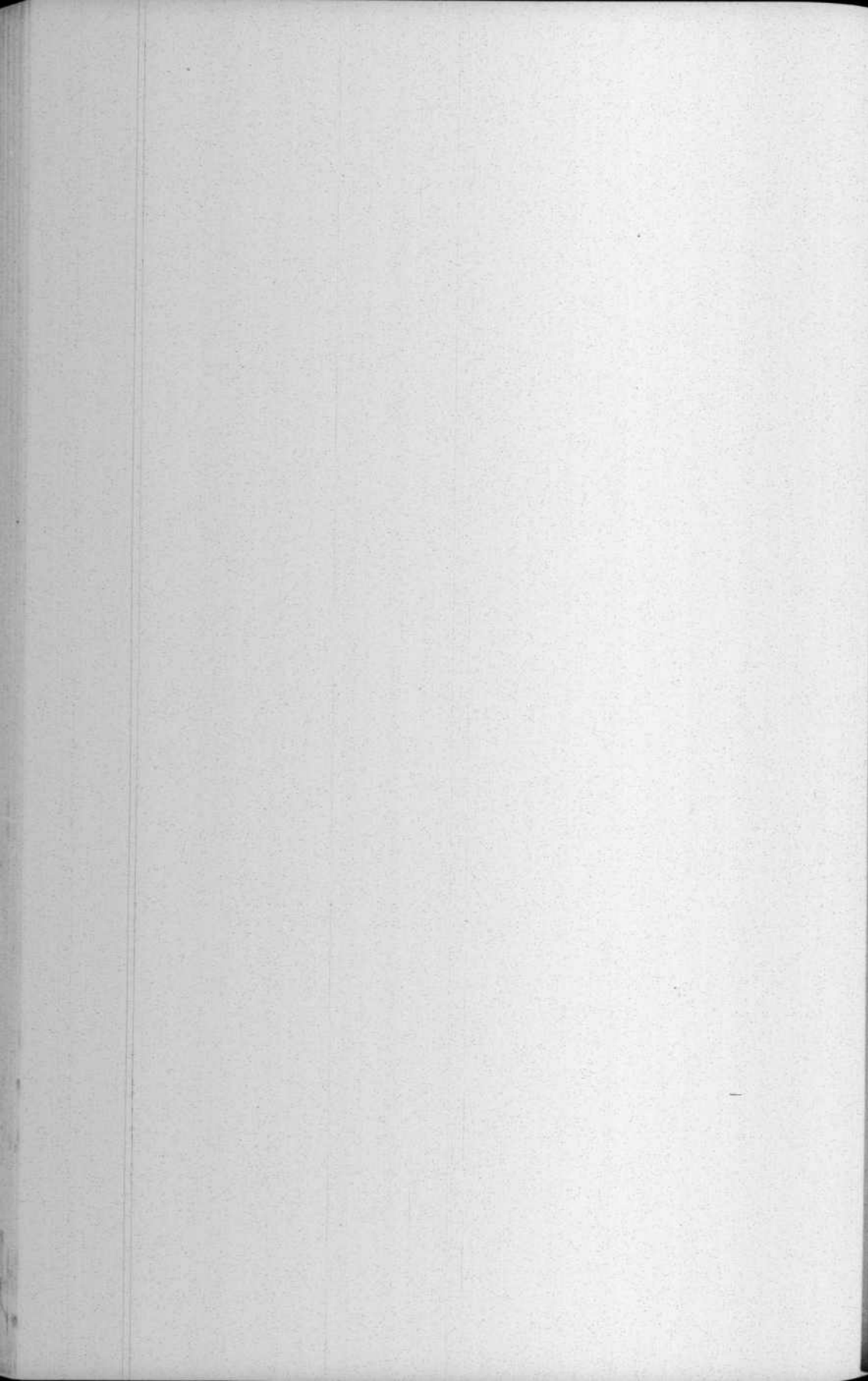
STATISTICS OF BRIDGE COMPANIES
INCOME ACCOUNT—CALENDAR YEAR 1938

NAME OF ACCOUNTS	Gandy Bridge Company	Pensacola Bridge Corporation	Tampa- Clearwater Bridge Co.
Operating revenues—Tolls.....	\$ 361,872.05	\$ 99,940.65	\$ 121,277.20
Operating expenses.....	137,603.16	89,711.70	81,544.26
Net revenue from bridge operation.....	\$ 224,268.89	\$ 10,228.95	\$ 39,732.94
Bridge tax accruals.....	38,827.50	4,619.55	7,000.02
Bridge operating income.....	\$ 185,441.39	\$ 5,609.40	\$ 32,732.92
Other income.....	3,945.10	37,799.68	10.30
Total income.....	\$ 189,386.49	\$ 43,409.08	\$ 32,743.22
Miscellaneous deductions from income.....	3,173.38	76,090.94	—
Income available for fixed charges.....	\$ 186,213.11	\$ * 32,681.86	\$ 32,743.22
Fixed charges.....	87,780.15	42,167.52	20,560.70
Income balance transferred to profit and loss.....	\$ 98,432.96	\$ * 74,849.38	\$ 12,182.52

*—Indicates debit item or deficit.



Express Companies



STATISTICS OF EXPRESS COMPANIES—CALENDAR YEAR 1938
GENERAL BALANCE SHEET—ENTIRE LINE

ASSETS	Railway Express Agency, Incorporated	Southeastern Express Company
Real property and equipment.....	\$ 41,304,257	\$ 1,230,741
Miscellaneous physical property.....	3,628,079	-----
Investments in affiliated companies—Stock.....	28,500	25,001
Other Investments:		
Stocks.....	300	-----
Bonds.....	701,777	20,243
Notes.....	3,500	3,200
Cash.....	18,257,358	910,896
Special deposits.....	15,116,570	-----
Loans and notes receivable.....	3,043	-----
Traffic balances receivable.....	38,882	-----
Net balances receivable from agents and messengers.....	4,719,860	11,621
Miscellaneous accounts receivable.....	1,004,693	187,953
Material and supplies.....	445,828	1,331
Interest, dividends and rents receivable.....	7,549	-----
Working fund advances.....	11,045	-----
Other current assets.....	70,138	-----
Other deferred assets.....	-----	7,175
Rents and insurance premiums paid in advance.....	69,590	2,217
Taxes paid in advance.....	229,196	-----
Discount on funded debt.....	189,374	-----
Other unadjusted debits.....	311,335	817
Grand Total.....	\$ 86,140,874	\$ 2,401,195
LIABILITIES		
Capital stock.....	\$ 100,000	\$ 1,000,000
Long-term debt.....	28,011,399	-----
Traffic balances payable.....	37,202	89
Audited accounts and wages unpaid.....	4,551,317	241,308
Miscellaneous accounts payable.....	2,866,522	-----
Matured interest, dividends and rents unpaid.....	362,625	440
Matured funded debt unpaid.....	14,392,000	-----
Miscellaneous advances payable.....	7,445	-----
Unpaid money orders, checks and drafts.....	1,596,766	146,199
Express privilege liabilities.....	6,139,815	62,759
Estimated tax liability.....	1,806,910	59,602
Unmatured interest, dividends and rents payable.....	261,816	-----
Other current liabilities.....	478,875	6,623
Operating and insurance reserves.....	1,141,003	143,582
Accrued Depreciation:		
Buildings.....	23,548,766	608,703
Miscellaneous physical property.....	831,564	-----
Other unadjusted credits.....	6,849	666
Profit and loss—Credit balance.....	-----	131,224
Grand Total.....	\$ 86,140,874	\$ 2,401,195

Southeastern Express Company discontinued operations July 31, 1938.

STATISTICS OF EXPRESS COMPANIES—CALENDAR YEAR 1938
INVESTMENT IN REAL PROPERTY AND EQUIPMENT—ENTIRE COMPANY AND STATE OF FLORIDA

NAME OF ACCOUNT	RAILWAY EXPRESS AGENCY, INC.		SOUTHEASTERN EXPRESS COMPANY	
	Entire Company	State of Florida	Entire Company	State of Florida
Land.....	\$ 5,631,917	\$ 213,817	\$ 20,082	\$
Buildings and appurtenances on land owned.....	6,690,311	186,379	46,389	.....
Buildings and appurtenances on land not owned.....	3,298,242	684,432	93,335	.....
Improvements to buildings not owned.....	131,063	319	40,679	.....
Cars.....	943,521	.....	.....	.....
Automobiles.....	16,928,721	231,962	810,356	21,071
Office furniture and equipment.....	1,107,015	16,074	52,994	610
Office safes.....	425,840	6,475	25,094	164
Trucks.....	2,591,700	91,310	72,072	2,145
Garage equipment.....	550,027	2,484	4,772	391
Line equipment.....	237,559	.....	.....	.....
Shop equipment.....	175,365	3,175	.....	.....
Miscellaneous equipment.....	7,213	.....	.....	.....
Minor equipment.....	2,585,763	.....	64,968	1,107
Total Real Property and Equipment.....	\$ 41,304,257	\$ 1,436,427	\$ 1,230,741	\$ 25,488

STATISTICS OF EXPRESS COMPANIES—CALENDAR YEAR 1938
PROFIT AND LOSS ACCOUNT—ENTIRE COMPANY

I T E M	Railway Express Agency, Inc.	Southeastern Express Company
Credit balance at beginning of year.....	\$.....	\$ 131,224
Credit balance transferred from income.....	731,099	6,859
Unrefundable overcharges.....	1,143	692
Miscellaneous profit and loss credits.....	18,807	.....
Total Credits.....	\$ 751,049	\$ 138,775
Loss on land sold.....	\$ 32,643	\$.....
Delayed income debits.....	.....	7,551
Miscellaneous profit and loss debits.....	718,406	.....
Credit balance carried to balance sheet.....	.....	131,224
Total Debits.....	\$ 751,049	\$ 138,775

STATISTICS OF EXPRESS COMPANIES—CALENDAR YEAR 1938
INCOME ACCOUNT—ENTIRE COMPANY

Charges for transportation.....	\$ 155,590,088	\$ 3,121,752
Express privileges debit.....	50,478,479	745,592
Revenue from transportation.....	\$ 105,111,609	\$ 2,376,160
Revenue from operations other than transportation.....	2,528,449	59,516
Total operating revenues.....	\$ 107,640,058	\$ 2,435,676
Operating expenses.....	98,827,131	2,269,427
Net operating revenue.....	\$ 8,812,927	\$ 166,249
Uncollectible revenue from transportation.....	17,635	1,498
Express taxes.....	6,401,181	158,338
Operating Income.....	\$ 2,394,111	\$ 6,413
OTHER INCOME		
Rent from real property and equipment used jointly.....	\$ 73	\$.....
Dividend income.....	10	.....
Income from funded securities.....	24,351	444
Income from unfunded securities and accounts.....	200	6
Miscellaneous income.....	147,972	.....
Total Other Income.....	\$ 172,606	\$ 450
Gross Income.....	\$ 2,566,717	\$ 6,863
DEDUCTIONS FROM GROSS INCOME		
Rent for real property and equipment used jointly.....	\$ 34	\$.....
Miscellaneous taxes.....	46,501	.....
Net loss on miscellaneous physical property.....	15,291	.....
Interest on funded debt.....	1,707,088	.....
Interest on unfunded debt.....	24,485	4
Amortization of discount on funded debt.....	41,991	.....
Miscellaneous income debits.....	228	.....
Total Deduction from Gross Income.....	\$ 1,835,618	\$ 4
Income balance transferred to Profit and Loss.....	\$ 731,099	\$ 6,859

STATISTICS OF EXPRESS COMPANIES—CALENDAR YEAR 1938
OPERATING REVENUES—ENTIRE COMPANY AND STATE OF FLORIDA

A C C O U N T	RAILWAY EXPRESS AGENCY, INC.		SOUTHEASTERN EXPRESS COMPANY	
	Entire Company	State of Florida	Entire Company	State of Florida
TRANSPORTATION				
Express, domestic.....	\$ 153,562,741	\$.....	\$ 3,026,470	\$ 40,610
Miscellaneous.....	2,027,347	.....	95,282	.....
Total transportation.....	\$ 155,590,088	\$ 3,742,926	\$ 3,121,752	\$ 40,610
Contract payments—Express privileges.....	50,478,479	1,337,619	745,592	10,416
Revenue from transportation.....	\$ 105,111,609	\$ 2,405,307	\$ 2,376,160	\$ 30,194
OPERATIONS OTHER THAN TRANSPORTATION				
Customs brokerage fees.....	\$ 157,672	\$.....	\$ 72	\$.....
Order and commission.....	6,248	.....	1	.....
Rents of buildings and other property.....	54,062	.....	245	.....
Money orders.....	.....	.....	11,488	64
C.O.D. checks.....	1,504,983	.....	42,952	380
Profit on exchange and other financial revenue.....	77	.....	.....	.....
Miscellaneous.....	805,407	.....	4,758	.....
Total other than transportation.....	\$ 2,528,449	\$ 70,139	\$ 59,516	\$ 444
Total operating revenues.....	\$ 107,640,058	\$ 2,475,446	\$ 2,435,676	\$ 30,637

STATISTICS OF EXPRESS COMPANIES—CALENDAR YEAR 1938
OPERATING EXPENSES—ENTIRE COMPANY AND STATE OF FLORIDA

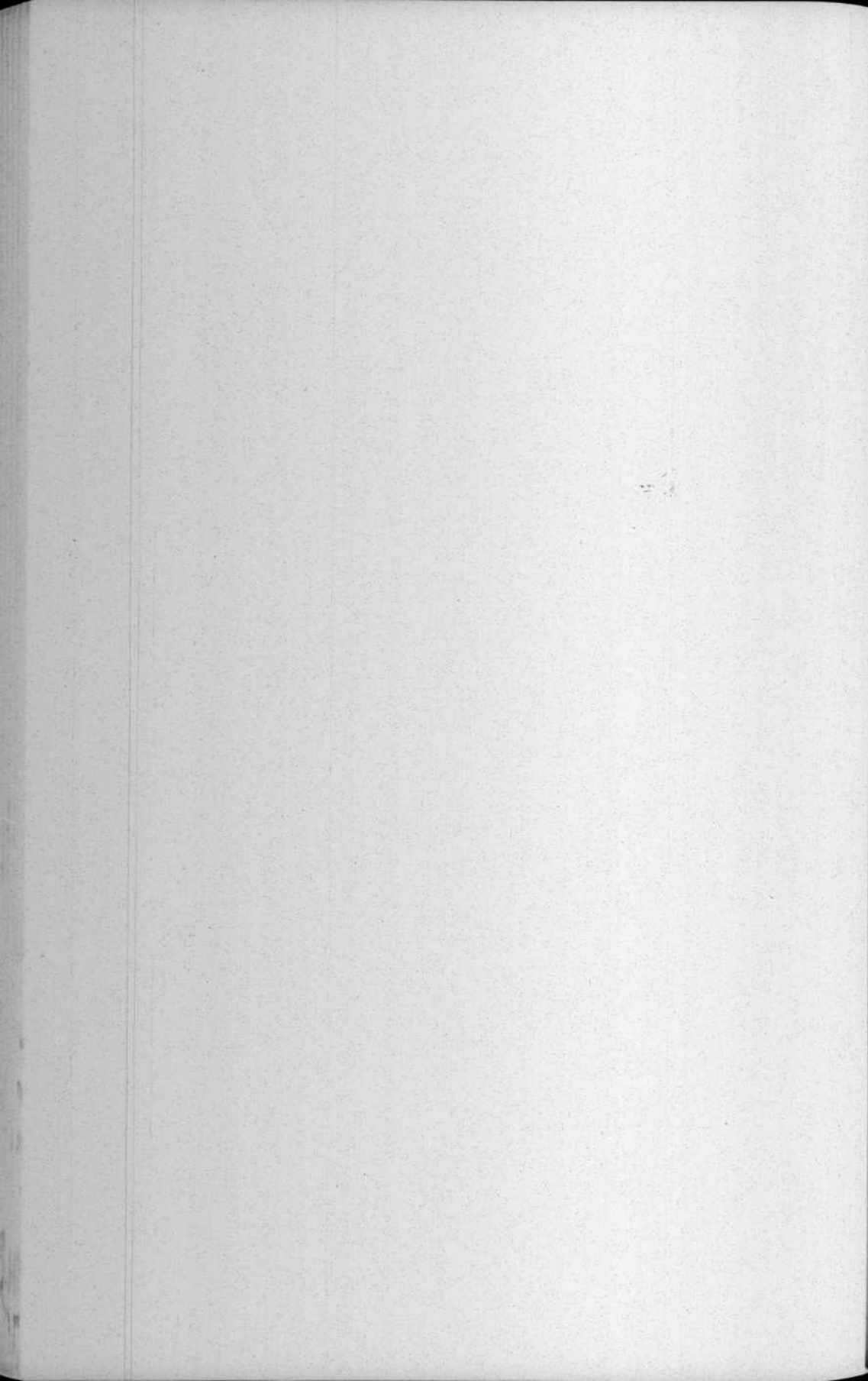
A C C O U N T	RAILWAY EXPRESS AGENCY, INC.		SOUTHEASTERN EXPRESS COMPANY	
	Entire Company	State of Florida	Entire Company	State of Florida
Maintenance expense.....	\$ 4,515,793	\$ 108,899	\$ 110,066	\$ 1,595
Traffic expense.....	342,069	13,072	54,626	708
Transportation expense.....	89,041,301	2,147,251	1,893,353	24,253
General expense.....	4,727,968	114,016	211,382	1,977
Total operating expenses.....	\$ 98,827,131	\$ 2,383,238	\$ 2,269,427	\$ 28,533
Ratio of operating expense to revenue—per cent.....	91.81	96.28	93.13	93.13

STATISTICS OF SLEEPING CAR COMPANIES—CALENDAR YEAR 1938
GENERAL BALANCE SHEET—ENTIRE COMPANY
Balance at December 31, 1933

A S S E T S	The Pullman Company
Investment in sleeping car property.....	\$ 259,471,765.84
Miscellaneous physical property.....	3,311.63
Other Investments:	
Stocks.....	278,901.00
Bonds.....	10,763,941.00
Notes.....	20,144.00
Cash.....	19,218,038.79
Loans and bills receivable.....	2,889.92
Net balance receivable from receiving cashiers and ticket agents.....	952,784.08
Miscellaneous accounts receivable.....	2,493,462.46
Material and supplies.....	4,810,001.48
Interest and dividends receivable.....	93,435.91
Other current assets.....	233,719.13
Working fund advances.....	19,980.00
Insurance and other funds.....	2,708,011.54
Other deferred assets.....	422,545.45
Rent and insurance premiums paid in advance.....	50,460.65
Other unadjusted debits.....	4,656,119.70
Grand Total.....	\$ 306,199,512.58
L I A B I L I T I E S	
Capital stock.....	\$ 108,135,000.00
Wages payable.....	1,042,372.60
Miscellaneous accounts payable.....	6,280,587.84
Dividends matured unpaid.....	1,107.30
Other current liabilities.....	3,052.85
Liability for provident funds.....	2,070,879.59
Other deferred liabilities.....	1,571.81
Tax liability.....	3,060,288.77
Insurance and casualty reserves.....	353,058.11
Operating reserves.....	16,000.00
Accrued Depreciation:	
Equipment.....	161,787,168.95
Buildings, appurtenances and grounds.....	4,351,665.57
Other unadjusted credits.....	6,949,724.41
Miscellaneous fund reserves.....	2,218,053.95
Appropriated surplus not specifically invested.....	1,904,040.32
Profit and loss—Credit balance.....	8,024,940.53
Grand Total.....	\$ 306,199,512.58

2

**Sleeping Car
Companies**



STATISTICS OF SLEEPING CAR COMPANIES—CALENDAR YEAR 1938
OPERATING REVENUES AND EXPENSES—
ENTIRE COMPANY AND STATE OF FLORIDA

NAME OF ACCOUNT	THE PULLMAN COMPANY	
	Entire Company	State of Florida
OPERATING REVENUES		
Standard sleeping car berth revenue.....	\$ 45,334,315.08	\$ 1,310,351.12
Tourist sleeping car berth revenue.....	3,455,122.90	817.17
Other car berth revenue.....	1,433.00	45.79
Standard sleeping car seat revenue.....	1,226,198.25	48,752.01
Tourist sleeping car seat revenue.....	7,612.03	-----
Parlor car seat revenue.....	2,481,361.13	2,595.47
Composite car seat revenue.....	14,437.30	950.06
Other car seat revenue.....	185.70	-----
Charter of standard sleeping cars—per diem rates.....	322,624.91	3,378.54
Charter of standard sleeping cars—berth rates.....	247,057.54	-----
Charter of tourist sleeping cars—per diem rates.....	132,098.55	-----
Charter of private cars—per diem rates.....	54,626.63	3,120.65
Charter of other cars to other than carriers—per diem rates.....	90.00	-----
Charter of other cars—berth or seat rates.....	4,859.20	-----
Charter of other cars to carriers—other rates.....	426,431.45	17,972.00
Miscellaneous revenue.....	50,120.48	1,006.92
Car mileage revenue.....	5,966,128.57	114,460.56
Contract revenue—debit.....	2,762,152.37	205,941.91
Total revenues.....	\$ 56,962,550.35	\$ 1,297,508.38
OPERATING EXPENSES		
Maintenance.....	\$ 26,346,741.65	\$ 541,449.06
Conducting car operations.....	21,812,039.26	446,422.17
General expenses.....	3,390,165.18	68,846.04
Total operating expenses.....	\$ 51,548,946.09	\$ 1,056,717.27
Ratio of expenses to revenue—per cent.....	90.50	81.44
Taxes.....	\$ 4,241,964.28*	\$ 94,660.91†

*—Includes auxiliary operations tax accruals of \$120,904.27.

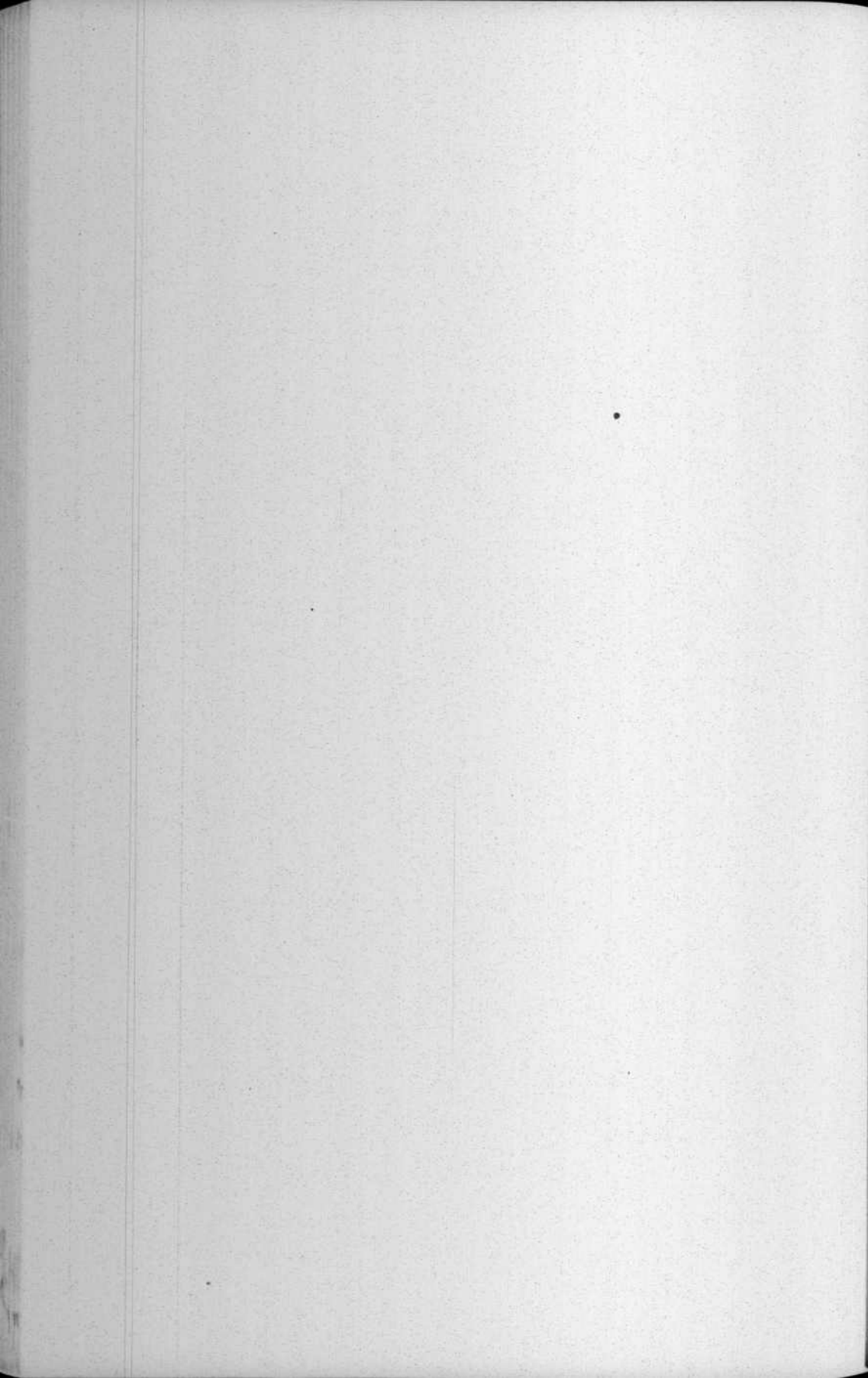
†—State tax only. Does not include a portion of Federal Income or other Federal taxes.

STATISTICS OF SLEEPING CAR COMPANIES—CALENDAR YEAR 1938
OPERATING AND STATISTICAL STATEMENT—ENTIRE COMPANY

KIND OF CAR	NUMBER OF PASSENGERS			Number of Non revenue Passengers	Car Miles	Car Days	Average Revenue per Passenger	
	Berth	Seat	Total				Berth	Seat
CONTRACT OPERATIONS								
Standard sleeping cars.....	10,289,838	1,325,554	11,615,392	394,375	682,297,773	1,539,538	\$ 4.41	\$.93
Tourist sleeping cars.....	1,048,498	10,459	1,058,957	21,417	77,913,838	147,812	3.30	.73
Parlor cars.....		2,841,722	2,841,722	48,091	43,707,872	154,639		.87
Composite cars.....		23,562	23,562	380	14,151,761	27,089		.61
Miscellaneous cars.....	135	81	216		409,872	1,332	10.61	2.29
Total Contract Operations.....	11,338,471	4,201,378	15,539,849	464,263	818,481,116	1,870,410	\$ 4.30	\$.89

STATISTICS	Total	STATISTICS	Dollars	Cts.	Mills
Average number of car-miles per car-day.....	437,594	Sleeping car operations—revenues.....	\$ 56,962,550	35	-----
Average number of car-miles per mile of trackage operated over.....	7,146,559	Revenues per car-mile.....		06	960
Average capacity per car—passengers:		Revenues per car-day.....	30	45	458
Standard sleeping cars—berths.....	25.01	Sleeping car operations—expenses.....	51,548,946	09	-----
Tourist sleeping cars—berths.....	29.47	Expenses per car-mile.....		06	298
Parlor cars—seats.....	29.92	Expenses per car-day.....	27	56	024
Composite cars—seats.....	29.47	Net revenues.....	5,413,604	26	-----
Average cost per car new, placed in service during year:		Net revenue per car-mile.....			662
Steel.....		Net revenue per car-day.....	2	89	434
Other than steel—new type, light weight cars.....	\$ 78,885.92				
Average weight per car equipped for service:		Passenger miles.....			8,269,882,057
Steel cars—pounds.....	168,000	Revenue per passenger mile.....			\$.006351
New type, light weight cars—pounds.....	121,000				
Other than steel cars—steel under frame.....	160,000				

Electric Railways



STATISTICS OF ELECTRIC RAILWAYS—CALENDAR YEAR 1938
GENERAL BALANCE SHEET AT DECEMBER 31, 1938

LIABILITIES	City of St. Petersburg	Tampa Electric Company	The Miami Beach Railway Company
Capital stock.....	\$.....	\$ 12,971,493.20	\$ 100,000.00
Funded debt.....	.....	.....	100,000.00
Non-negotiable debt to affiliated companies.....	.....	.....	2,203,000.00
Audited accounts and wages payable.....	.....	102,674.36	2,419.30
Miscellaneous accounts payable.....	208,009.13	.....	.....
Accrued interest, dividends and rents payable.....	.....	6,784.24	65,729.59
Other current liabilities.....	.....	135.64	2,213.18
Other deferred liabilities.....	.....	244,363.30	.....
Tax liability.....	.....	426,183.41	10,189.90
Insurance and casualty reserves.....	.....	.....	45,634.09
Operating reserves.....	.....	168,510.92	27,139.13
Accrued depreciation:	.....	.....	.....
Road and equipment.....	814,841.46	*4,584,053.90	73,150.17
Miscellaneous physical property.....	19,160.92	.....	33,711.65
Other unadjusted credits.....	.....	43,428.59	518.15
Profit and loss—credit balance.....	389,946.47	2,214,429.08	†1,369,629.65
Grand Total.....	\$ 1,431,957.98	\$ 20,762,056.64	\$ 1,294,075.51

*—Includes both road and equipment and miscellaneous physical property.

†—Indicates debit item or deficit.

STATISTICS OF ELECTRIC RAILWAYS—CALENDAR YEAR 1938
GENERAL BALANCE SHEET AT DECEMBER 31, 1938

ASSETS	City of St. Petersburg	Tampa Electric Company	The Miami Beach Railway Company
Road and equipment.....	\$ 1,408,374.74	\$ 3,288,745.58	\$ 488,474.33
Miscellaneous physical property.....		15,613,451.69	387,795.63
Other investments:			
Stocks.....		4.00	
Bonds.....		16,600.00	2,835.00
Miscellaneous.....		3,186.07	
Cash.....	430.00	502,691.64	112,792.15
Loans and notes receivable.....		15,013.24	
Miscellaneous accounts receivable.....		970,069.68	46,538.30
Material and supplies.....		311,436.22	13,962.05
Other current assets.....	23,153.24	17,901.31	2,200.25
Rents and insurance premiums paid in advance.....		17,449.01	764.79
Other unadjusted debits.....		5,508.20	238,713.01
Grand Total.....	\$ 1,431,957.98	\$ 20,762,056.64	\$ 1,294,075.51

STATISTICS OF ELECTRIC RAILWAYS—CALENDAR YEAR 1938
INCOME STATEMENT FOR THE YEAR

ITEM	City of St. Petersburg	Tampa Electric Company	The Miami Beach Railway Company
Railway operating revenues.....	\$ 211,317.91	\$ 542,109.87	\$ 361,018.31
Railway operating expenses.....	214,306.83	572,347.97	312,487.73
Net revenue—railway operations.....	\$ *2,988.92	\$ *30,238.10	\$ 48,530.58
Auxiliary operations—revenues.....	\$ 16,943.29	\$	\$
Auxiliary operations—expenses.....	24,762.17	.....	.....
Net revenue - auxiliary operations.....	\$ *7,818.88	\$	\$
Net operating revenue.....	\$ *10,807.80	\$ *30,238.10	\$ 48,530.58
Taxes assignable to railway operations.....	.....	52,884.09	11,387.97
Operating income.....	\$ *10,807.80	\$ *83,122.19	\$ 37,142.61
NON-OPERATING INCOME			
Miscellaneous rent income.....	\$	\$ 35.00	\$
Net income from miscellaneous physical property.....	.....	1,590,724.88	21,418.19
Income from funded securities.....	.....	387.34	133.00
Income from unfunded securities and accounts.....	.....	*129.58	.....
Miscellaneous income.....	.....	2,199.13	66.52
Total non-operating income.....	\$	\$ 1,593,216.77	\$ 21,617.71
Gross Income.....	\$ *10,807.80	\$ 1,510,094.58	\$ 58,760.32
DEDUCTIONS FROM GROSS INCOME			
Rent for leased roads.....	\$	\$	\$ 23,722.85
Interest on funded debt.....	.....	.....	8,000.00
Interest on unfunded debt.....	.....	7,714.30	266.66
Miscellaneous debits.....	.....	737.85	.....
Total deductions from gross income.....	\$	\$ 8,452.15	\$ 31,989.51
Income balance transferred to profit and loss.....	\$ *10,807.80	\$ 1,501,642.43	\$ 26,770.81

*—Indicates debit item or deficit.

STATISTICS OF ELECTRIC RAILWAYS—CALENDAR YEAR 1938⁷

RAILWAY OPERATING REVENUES AND EXPENSES

ITEM	City of St. Petersburg	Tampa Electric Company	The Miami Beach Railway Company
RAILWAY OPERATING REVENUES			
Passenger revenue.....	\$ 208,925.75	\$ 537,194.67	\$ 322,023.83
Parlor, sleeping, dining, and special car revenue.....		145.50	
Miscellaneous transportation revenue.....			35,288.37
Total revenue from transportation.....	\$ 208,925.75	\$ 537,340.17	\$ 357,312.20
REVENUE FROM OTHER RAILWAY OPERATIONS			
Station and car privileges.....	\$ 1,792.56	\$ 4,559.29	\$ 3,624.29
Miscellaneous.....	599.60	210.41	81.82
Total revenue from other railway operations.....	\$ 2,392.16	\$ 4,769.70	\$ 3,706.11
Total operating revenues.....	\$ 211,317.91	\$ 542,109.87	\$ 361,018.31
RAILWAY OPERATING EXPENSES			
Way and structures.....	\$ 53,340.16	\$ 137,044.77	\$ 12,777.56
Equipment.....	37,941.32	95,781.70	40,721.72
Power.....	42,745.64	26,139.08	94,679.88
Conducting transportation.....	72,181.15	241,138.61	114,628.88
Traffic.....	26.88	2,525.47	181.66
General and miscellaneous.....	8,071.68	69,718.34	49,498.03
Total operating expenses.....	\$ 214,306.83	\$ 572,347.97	\$ 312,487.73
Ratio of operating expenses to revenue—per cent.....	101.57	105.58	86.56

STATISTICS OF ELECTRIC RAILWAYS—CALENDAR YEAR 1938
ROAD OPERATED AT CLOSE OF YEAR

NAME OF COMPANY	Miles of Road	Miles of Second Main Track	Miles of Sidings and Turnouts	Miles of Track in Carhouses, Shops, etc.	Total
City of St. Petersburg.....	23.274	*1.91	1.94	2.08	29.204
Tampa Electric Company.....	44.17	2.94	5.01	0.96	53.080
The Miami Beach Railway Company.....	23.16	4.76	1.09	0.66	29.670

*—Includes 38/100ths miles of all other main tracks.

STATISTICS OF ELECTRIC RAILWAYS—CALENDAR YEAR 1938
MILEAGE, TRAFFIC AND MISCELLANEOUS STATISTICS
RAIL-LINE OPERATIONS

ITEM	City of St. Petersburg	Tampa Electric Company	The Miami Beach Railway Company
Passenger car mileage.....	1,140,028	3,178,239	1,393,540
Passenger car-hours.....	114,983	338,997	173,198
Regular fare passengers carried.....	3,103,316	11,014,333	5,553,898
Free transfer passengers carried.....		2,785,105	1,316,077
Total passengers carried.....	3,103,316	13,799,438	6,869,975
Employees and others carried free.....	10,000	129,078	44,222
Passenger revenue.....	\$ 208,925.75	\$ 537,194.67	\$ 322,023.83
Average fare, revenue passengers.....	\$.06732	\$.04877	\$.05798
Average fare, all passengers—including transfer passengers.....	\$.06732	\$.03893	\$.04687
Total revenue from transportation.....	\$ 208,925.75	\$ 537,340.17	\$ 357,312.20
Revenue from transportation per car-mile.....	\$.18326	\$.16907	\$.25641
Revenue from transportation per car-hour.....	\$ 1.81701	\$ 1.58509	\$ 2.06303
Total revenue from other railway operations.....	\$ 2,392.16	\$ 4,769.70	\$ 3,706.11
Revenue from other railway operations per car-mile.....	\$.00209	\$.00150	\$.00266
Revenue from other railway operations per car-hour.....	\$.02080	\$.01407	\$.02140
Total operating revenues.....	\$ 211,317.91	\$ 542,109.87	\$ 361,018.31
Operating revenues per car-mile.....	\$.18536	\$.17057	\$.25907
Operating revenues per car-hour.....	\$ 1.83781	\$ 1.59916	\$ 2.08442
Total operating expenses.....	\$ 214,306.83	\$ 572,347.97	\$ 312,487.73
Operating expenses per car-mile.....	\$.18798	\$.18008	\$.22424
Operating expenses per car-hour.....	\$ 1.86381	\$ 1.68836	\$ 1.80422

STATISTICS OF ELECTRIC RAILWAYS—CALENDAR YEAR 1938
MILEAGE, TRAFFIC AND MISCELLANEOUS STATISTICS
MOTOR BUS OPERATIONS

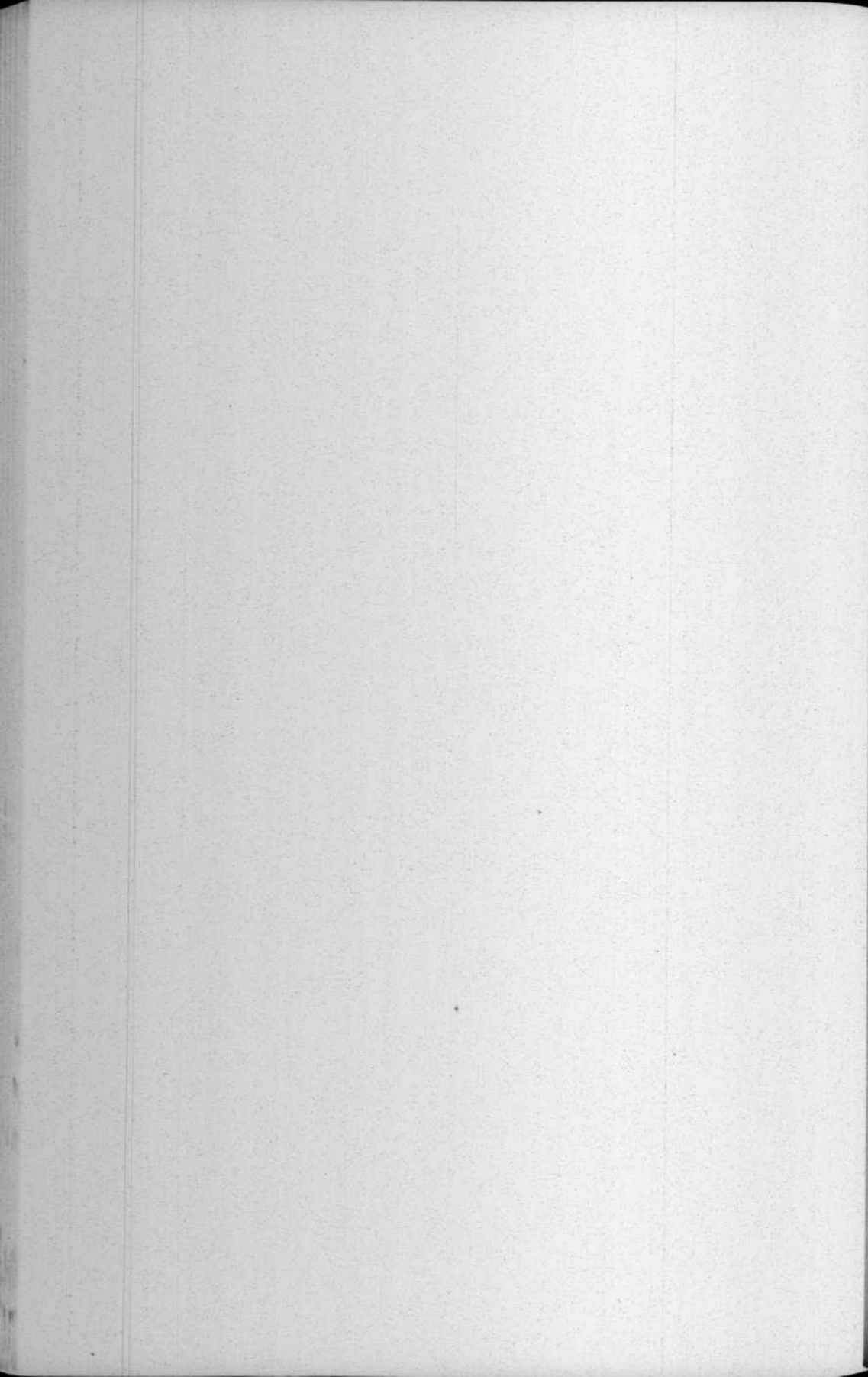
OF THE RAILROAD COMMISSION

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ITEM	City of St. Petersburg	Tampa Electric Company	The Miami Beach Railway Company
Passenger car mileage.....	212,414	N	1,122,077
Passenger car-hours.....	19,965	O	94,303
Regular fare passengers carried.....	264,266	N	2,080,741
Free transfer passengers carried.....		E	810,169
Total passengers carried.....	265,266	N O N E	2,890,910
Employees and others carried free.....	500	N	13,468
Passenger revenue.....	\$ 16,943.29	O	\$195,205.10
Average fare, revenue passenger.....	\$.06387	N	\$.09382
Average fare all passengers, including transfer passengers.....	\$.06387	E	\$.06752
Total revenue from transportation.....	\$ 16,943.29		\$ 198,523.09
Revenue from transportation per car-mile.....	\$.07976		\$.17692
Revenue from transportation per car-hour.....	\$.84864	N	\$ 2.10516
Total revenue from other railway operations.....		O	\$ 3,374.54
Revenue from other railway operations per car-mile.....		N	\$.00301
Revenue from other railway operations per car-hour.....		E	\$.03578
Total operating revenues.....	\$ 16,943.29		\$ 201,897.63
Operating revenues per car-mile.....	\$.07976		\$.17993
Operating revenues per car-hour.....	\$.84864	N	\$ 2.14095
Total operating expenses.....	\$ 24,762.17	O	\$ 156,448.18
Operating expenses per car-mile.....	\$.11657	N	\$.13942
Operating expenses per car-hour.....	\$ 1.24027	E	\$ 1.65899



Boat Line Operations



STATISTICS OF BOAT LINE OPERATIONS—CALENDAR YEAR 1938

GENERAL BALANCE SHEET AT DECEMBER 31, 1938

ASSETS	A.G.W. Lines Inc.	Brown Motor Freight and Boat Lines, Inc.	Kinzie Brothers Steamer Line	St. Johns River Line Company	Suwannee Steamship Company
Investment in real property and equipment.....	\$ 11,177,449	\$ 14,786	\$ 67,137	\$ 204,743	\$ 8,376
Reserve for accrued depreciation—credit.....	8,733,660	8,205	27,503	86,246	3,480
Securities of transportation system corporations—unpledged.....	7,928,500				
Long-term advances to transportation system corporations.....	727,108				
Miscellaneous investments.....	51,560	3,028		44,299	
Intangible assets.....				36,900	
Cash.....	476,633	6	2,119	6,595	348
Marketable securities.....	5,534				15,000
Loans and bills receivable.....	199		3,873	18,611	35,453
Traffic balances owed by other companies.....	40,199			739	
Net balance due from agents, pursers and stewards.....	171,593		311	24,362	257
Insurance claims against underwriters.....	177,498			3,000	
Miscellaneous accounts receivable.....	275,403	550	10,716		901
Material and supplies.....	144,376		272	4,177	
Other working assets.....	20,154				
Unmatured dividends and interest receivable.....	17,822				225
Temporary advances.....	32,659				
Rents paid in advance.....	11,229				100
Insurance premiums paid in advance.....	269,445	45		4,518	
Taxes paid in advance.....		15		818	
Unamortized debt discount and expense.....	285				
Special deposits.....	800				
Sinking fund assets.....	1,000				
Insurance and other reserve fund assets.....	293,672				
Open voyage expenses.....	98,251				
Other deferred debit items.....	12,273,229			4,593	
Grand Total.....	\$ 25,460,938	\$ 10,237	\$ 56,925	\$ 267,109	\$ 57,180

STATISTICS OF BOAT LINE OPERATIONS—CALENDAR YEAR 1938
GENERAL BALANCE SHEET AT DECEMBER 31, 1938

LIABILITIES	A. G. W. Lines Inc.	Brown Motor Freight and Boat Lines, Inc.	Kinzie Brothers Steamer Line	St. Johns River Line Company	Suwannee Steamship Company
Capital stock.....	\$ 7,600,000	\$ 12,123	\$ 20,071	\$ 8,738	\$ 1,000
Premium on capital stock.....		1,835		68,079	
Long-term debt.....	3,473,000	52		34,347	
Loans and bills payable.....	200,000	5,432	7,000	43,337	
Audited vouchers and wages unpaid.....	280,797	8,658		1,029	745
Traffic balances owed to other companies.....	36,425			1,039	
Miscellaneous accounts payable.....	142,022		6,133	13,399	
Matured dividends and interest unpaid.....	4,100			1,520	
Matured rents unpaid.....	864,988				
Matured long-term debt unpaid.....	261,000	1,374			
Working advances owed to other companies.....					39,713
Other working liabilities.....	16,570				
Unmatured dividends, interest and rents payable.....	1,015			2,423	
Taxes accrued.....	30,254		116	17,739	1,489
Deferred credit items.....	517,105				
Appropriated surplus.....	12,037,987		13,569		553
Profit and loss.....	* 4,325	*19,237	10,036	75,460	13,680
Grand Total.....	\$ 25,460,938	\$ 10,237	\$ 56,925	\$ 267,109	\$ 57,180

*—Indicates debit item or deficit.

STATISTICS OF BOAT LINE OPERATIONS—CALENDAR YEAR 1938
PROFIT AND LOSS ACCOUNT—ENTIRE COMPANY

ITEMS	A. G. W. Lines Inc.	Brown Motor Freight and Boat Lines, Inc.	Kinzie Brothers Steamer Line	St. Johns River Line Company	Suwannee Steamship Company
Credit balance at beginning of year.....	\$.....	\$.....	\$ 4,806	\$ 64,770	\$ 13,067
Credit balance transferred from income account.....	117,836	.....	6,455	9,582	613
Real property and equipment credits.....	473	.....	.....	1,264	.....
Miscellaneous credits.....	17,829	.....	.....	.....	.....
Debit balance carried to balance sheet.....	4,325	19,237	.....	.....	.....
Total credits.....	\$ 140,463	\$ 19,237	\$ 11,261	\$ 75,616	\$ 13,680
Debit balance at beginning of year.....	\$ 115,481	\$ 17,550	\$.....	\$.....	\$.....
Debit balance transferred from income account.....	.....	1,039	.....	.....	.....
Miscellaneous appropriations of surplus.....	5,725	.....	.....	.....	.....
Real property and equipment debits.....	1,863	648	.....	.....	.....
Miscellaneous debits.....	17,394	.....	1,225	156	.....
Credit balance carried to balance sheet.....	.....	.....	10,036	75,460	13,680
Total debits.....	\$ 140,463	\$ 19,237	\$ 11,261	\$ 75,616	\$ 13,680

STATISTICS OF BOAT LINE OPERATIONS—CALENDAR YEAR 1938
INCOME ACCOUNT—ENTIRE COMPANY

ITEM	A.G.W. Lines Inc.	Brown Motor Freight and Boat Lines, Inc.	Kinzie Brothers Steamer Line	St. Johns River Line Company	Suwannee Steamship Company
Freight revenue.....	\$ 6,755,494	\$.....	\$ 5,728	\$ 263,041	\$ 37,195
Passenger revenue.....	2,348,772		6,521		
Other transportation revenue.....	250,790		2,023		
Revenue from operations other than transportation.....	153,450		62	3,113	
Charter revenue.....	735,270				
Total water-line operating revenue.....	\$ 10,243,776	\$.....	\$ 14,334	\$ 266,154	\$ 37,195
Maintenance of equipment and terminals.....	\$ 1,304,713	\$.....	\$ 6,899	\$ 36,153	\$ 1,589
Traffic expenses.....	673,573		428	5,891	35
Transportation expenses.....	5,857,461		5,381	156,183	7,243
General expenses.....	786,904		2,162	38,730	20,751
Charter expenses.....	775,339				8,288
Total water-line operating expenses.....	\$ 9,397,990	\$.....	\$ 14,870	\$ 236,957	\$ 37,906
Net revenue from water-line operations.....	\$ 845,786	\$.....	\$ * 536	\$ 29,197	\$ * 711
Net revenue from auxiliary operations.....			7,736		1,273
Net water-line operating revenue.....	\$ 845,786	\$.....	\$ 7,200	\$ 29,197	\$ 562
Water-line tax accruals.....	184,086		227	11,091	1,473
Water-line operating income.....	\$ 661,700	\$.....	\$ 6,973	\$ 18,106	\$ * 911
Total other income.....	48,557	3,000		28,959	5,424
Gross income.....	\$ 710,257	\$ 3,000	\$ 6,973	\$ 47,065	\$ 4,513
Deductions from gross income.....	592,058	\$ 4,039	518	37,483	3,900
Net income.....	\$ 118,199	\$ * 1,039	\$ 6,455	\$ 9,582	\$ 613
Miscellaneous appropriations of income.....	363				
Net income transferred to profit and loss.....	\$ 117,836	\$ * 1,039	\$ 6,455	\$ 9,582	\$ 613

*—Indicates debit item or deficit.

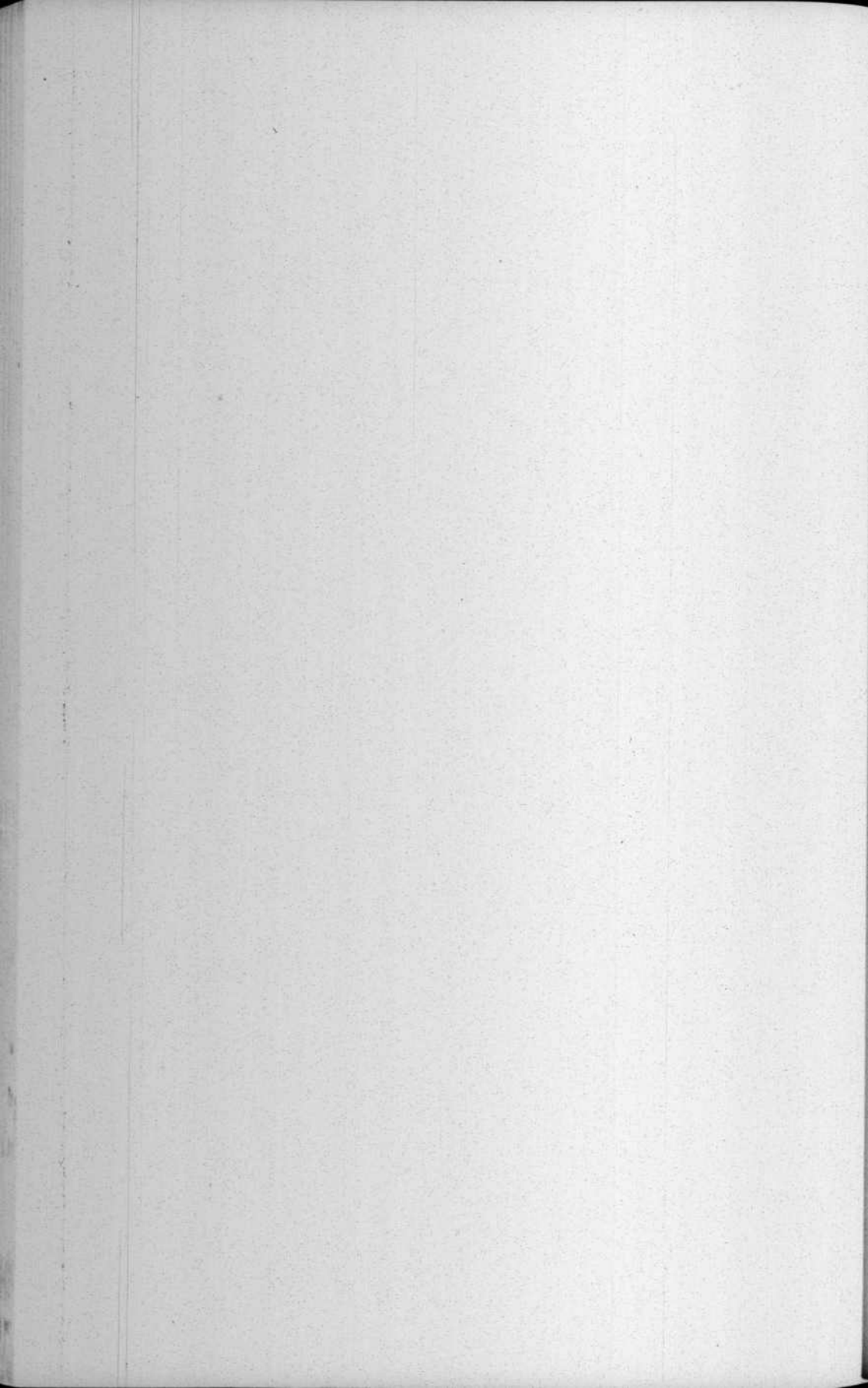
STATISTICS OF BOAT LINE OPERATIONS—CALENDAR YEAR 1938
WATER TRANSPORTATION COMPANIES OPERATED WITHIN THE STATE OF FLORIDA

NAME OF COMPANY	BUSINESS ADDRESS	TERRITORY IN GENERAL
Agwlines, Inc.....	Pier 34, North River, New York, N.Y.	Operates ocean-going steamers out of Boston, New York, Charleston, Jacksonville, Key West, Miami, Tampa, New Orleans, Galveston, Havana, Quebec, San Juan, Nassau, Gaspe and Bermuda.
Kinzie Brothers Steamer Line.....	P.O. Box 189, Ft. Myers, Florida	Operates six trips daily between Ft. Myers, Punta Rassa and Sanibel Island.
St. Johns River Line Company.....	10 S. Newnan Street, Jacksonville, Florida	Operates six trips weekly between Jacksonville and Palatka, Deland Landing and Sanford on St. Johns River. and Operates three trips weekly between Jacksonville, Florida, and Brunswick, Georgia. Occasional trips from Jacksonville to Daytona and Miami.
Suwannee Steamship Company.....	Foot Catherine Street, Jacksonville, Florida	Operates weekly between Jacksonville and Sanford, Florida, on St. Johns River.

NOTE: Brown Motor Freight & Boat Lines, Inc., discontinued operations in September, 1937.



**Telegraph-Cable
Companies**



STATISTICS OF TELEGRAPH-CABLE COMPANIES—
CALENDAR YEAR 1938
GENERAL BALANCE SHEET AT DECEMBER 31, 1938

A S S E T S	Western Union Telegraph Company	Postal Telegraph-Cable Company
Investment in plant and equipment.....	\$ 333,312,801.44	\$ 50,000.00
Construction work in progress.....	3,745,524.28	
Investment securities.....	13,267,394.47	
Long-term advances receivable.....	1,180,000.00	
Miscellaneous investments.....	109,446.66	
Working assets and accrued income.....	23,984,444.16	527,780.84
Deferred debit item.....	1,144,800.37	
Grand Total.....	\$ 376,744,411.38	\$ 577,780.84
L I A B I L I T I E S		
Capital stock.....	\$ 104,527,751.66	\$ 50,000.00
Capital stock of subsidiary companies.....	1,751,500.00	
Premiums on capital stock.....	1,163,350.00	
Funded debt.....	89,158,000.00	
Working and accrued liabilities.....	12,539,111.06	3,514,322.20
Deferred credit items.....	93,149,407.15	
Appropriated surplus.....	1,185,614.96	
Profit and loss.....	73,269,676.55	* 2,986,541.36
Grand Total.....	\$ 376,744,411.38	\$ 577,780.84

*—Indicates debit item or deficit.

STATISTICS OF TELEGRAPH-CABLE COMPANIES—
CALENDAR YEAR 1938
PROFIT AND LOSS ACCOUNT—ENTIRE COMPANY

I T E M S	Western Union Telegraph Company	Postal Telegraph-Cable Company
Credit balance at beginning of year.....	\$ 75,227,336.67	\$
Miscellaneous credits.....	1,135,866.08	
Debit balance carried forward to balance sheet.....		2,986,541.36
Total Credits.....	\$ 76,363,202.75	\$ 2,986,541.36
Debit balance at beginning of year.....	\$	\$ 2,387,098.21
Debit balance transferred from income.....	1,637,879.26	599,443.15
Miscellaneous debits.....	1,455,646.94	
Credit balance carried forward to balance sheet.....	73,269,676.55	
Total Debits.....	\$ 76,363,202.75	\$ 2,986,541.36

STATISTICS OF TELEGRAPH-CABLE COMPANIES—
CALENDAR YEAR 1938
INCOME ACCOUNT—ENTIRE COMPANY

ITEMS	Western Union Telegraph Company	Postal Telegraph-Cable Company
Telegraph and cable operating revenues.....	\$ 91,712,400.66	\$ 2,832,205.13
Telegraph and cable operating expenses.....	81,506,662.73	2,829,971.75
Net telegraph and cable operating revenues.....	\$ 10,205,737.93	\$ 2,233.38
Uncollectible operating revenues.....	366,850.00	6,722.00
Taxes assignable to operating.....	5,864,157.79	190,776.34
Operating income.....	\$ 3,974,730.14	\$ * 195,264.96
NON-OPERATING INCOME		
Income from lease of plant.....	\$ 78,383.28	\$-----
Miscellaneous rent income.....	11,199.43	-----
Dividend income.....	1,045,157.56	-----
Interest income.....	394,325.41	-----
Nonoperating income.....	\$ 1,529,065.68	\$-----
Gross income.....	\$ 5,503,795.82	\$ * 195,264.96
DEDUCTIONS FROM GROSS INCOME		
Rent for lease of plant.....	\$ 2,588,632.73	\$-----
Miscellaneous rents.....	364,604.06	26,640.69
Interest on funded debt.....	4,140,377.35	-----
Other interest deductions.....	48,060.94	377,537.50
Total deductions from gross income.....	\$ 7,141,675.08	\$ 404,178.19
Net income transferred to profit and loss—debit.....	\$ 1,637,879.26	\$ 599,443.15

*—Indicates debit item or deficit.

STATISTICS OF TELEGRAPH-CABLE COMPANIES—CALENDAR YEAR 1938
OPERATING REVENUES AND EXPENSES, ENTIRE COMPANY AND STATE OF FLORIDA

I T E M S	WESTERN UNION TELEGRAPH COMPANY			
	Entire Company	STATE OF FLORIDA		
		Intrastate	Interstate	Total
Revenues from transmission—telegraph.....	\$78,017,884.86	\$ 609,903.53	\$ 1,664,738.63	\$ 2,274,642.16
Revenues from transmission—cable.....	6,196,212.01			
Operations other than transmission.....	8,881,328.35	87,056.74	88,130.36	175,187.10
Contract payments to transportation companies.....	1,383,024.56	1,018.90	1,764.96	2,783.86
Total operating revenues.....	\$91,712,400.66	\$ 695,941.37	\$ 1,751,104.03	\$ 2,447,045.40
OPERATING EXPENSES				
Maintenance expenses.....	\$20,073,884.30	\$.....	\$.....	\$ 525,930.77
Conducting operations.....	57,141,385.07			1,482,181.25
General and miscellaneous expenses.....	4,291,393.36			111,816.39
Total operating expenses.....	\$81,506,662.73	\$.....	\$.....	\$ 2,119,928.41
Ratio of operating expenses to revenue—per cent.....	88.87			86.63

NOTE: Records are not kept separately by states. Revenues represent collections made in State.

NOTE: Expenses represent only those definitely determined, i.e., expenses at offices within the State together with an allocation of a proportion of certain expenses to the State on company formulae.

STATISTICS OF TELEGRAPH-CABLE COMPANIES—CALENDAR YEAR 1938
OPERATING REVENUES AND EXPENSES—ENTIRE COMPANY AND STATE OF FLORIDA

I T E M S	POSTAL TELEGRAPH-CABLE COMPANY			
	ENTIRE COMPANY	STATE OF FLORIDA		
		Intrastate	Interstate	Total
OPERATING REVENUES				
Revenues from transmission—telegraph.....	\$ 2,616,314.21	\$ 151,027.86	\$ 430,144.95	\$ 581,172.81
Operations other than transmission.....	215,890.92	31,760.15	14,997.73	46,757.88
Total operating revenues.....	\$ 2,832,205.13	\$ 182,788.01	\$ 445,142.68	\$ 627,930.69
OPERATING EXPENSES				
Maintenance expenses.....	\$ 601,320.40	\$.....	\$.....	\$ 133,522.38
Conducting operations.....	2,098,029.34	.....	.....	466,096.76
General and miscellaneous expenses.....	130,622.01	.....	.....	28,917.65
Total operating expenses.....	\$ 2,829,971.75	\$.....	\$.....	\$ 628,536.79
Ratio of operating expenses to revenue—per cent.....	99.92	.....	.....	100.10

NOTE: Interstate revenues in State represent receipts of collections on interstate messages made in State of Florida. The revenue from interstate messages, etc., is not apportioned to states but is assigned to the State in which paid or collected.

NOTE: System expenses are allocated under agreement dated January 1, 1931, between this company and associated companies. Florida expenses are allocated and assigned upon company formulae.

Telephone Companies



STATISTICS OF TELEPHONE COMPANIES—CALENDAR YEAR 1938

NAME OF COMPANY, BUSINESS ADDRESS, EXCHANGES AND SUBSCRIBER'S STATIONS IN OPERATION— ALL COMPANIES

NAME OF COMPANY	BUSINESS ADDRESS	EXCHANGES	Exchange	Rural	Extension	Farmer	P. B. X. and Intercon.	Total
Callahan Telephone Company.....	Callahan, Fla.....	Callahan.....	35	12	1			48
		Hilliard.....	12	8				20
Clewiston Telephone Co.....	Clewiston, Fla.....	Clewiston.....	99	14	18			131
Cottondale Telephone Co.....	Cottondale, Fla.....	Cottondale.....	44					44
Florida Telephone Corporation.....	Leesburg, Fla.....	Alachua.....	51	4	5	7		67
		Apopka.....	110	35	26			171
		Bushnell.....	40	13	3			56
		Clermont.....	88	12	6			106
		Crescent City.....	107	9	9			125
		Crystal River.....	25	16	2			43
		Dade City.....	141	66	23			230
		Eustis.....	280	35	47		12	374
		Groveland.....	30	3	5			38
		Hastings.....	39	54	15			108
		High Springs.....	83		2	2		87
		Inverness.....	78	2	6			85
		Jasper.....	70		3			73
		Kissimmee.....	199	8	25			232
		Lake Butler.....	21	3	1	14		39
		Leesburg.....	499	109	90		9	707
		Live Oak.....	317	8	33		25	383
		Mayo.....	33					33
		Mount Dora.....	177	48	20	1		246
		Ocala.....	1,007	184	209	13	194	1,607
		St. Cloud.....	46	4	3	1		54
		Tavares.....	107	12	25		5	149
		Umatilla.....	67	11	6		4	88
		White Springs.....	17		1			18
		Wildwood.....	30	6	1	3		40
		Williston.....	71	5	2	8		86
		Winter Garden.....	199	94	32		33	358

STATISTICS OF TELEPHONE COMPANIES—CALENDAR YEAR 1938
NAME OF COMPANY, BUSINESS ADDRESS, EXCHANGES AND SUBSCRIBER'S STATIONS IN OPERATION—
ALL COMPANIES

NAME OF COMPANY	BUSINESS ADDRESS	EXCHANGES	Exchange	Rural	Extension	Farmer	P. B. X. and Intercon.	Total
Gulf Telephone Company.....	Perry, Fla.....	Perry.....	257	28	14	20	60	379
Hampton Telephone Company.....	Hampton, Fla.....	Hampton.....	3	15				18
Inter-County Telephone Co.....	Ft. Myers, Fla.....	Arcadia.....	300	26	52		108	486
		Avon Park.....	176	33	28		199	436
		Boca Grande.....	64		29		401	494
		Bowling Green.....	18	1				19
		Everglades.....	39	4	14			57
		Fort Meade.....	120	9	5	3		137
		Ft. Myers.....	915		160		464	1,539
		LaBelle.....	26	5	1			32
		Lake Placid.....	33		6		30	69
		Moore Haven.....	34	3	2			39
		Naples.....	45		8			53
		Okeechobee.....	85	2	2		60	149
		Punta Gorda.....	166		19		246	431
		Sebring.....	253		44	3	511	811
		Wauchula.....	195		20			215
Macclenny Telephone Company.....	Macclenny, Fla.....	Macclenny.....	33	4	2			39
McIntosh Telephone Company.....	McIntosh, Fla.....	McIntosh.....	35	37				72
Milton Telephone Company.....	Milton, Fla.....	Milton.....	114	49	14	10		187
Molino Telephone Company.....	Molino, Fla.....	Molino.....	7	6				13
Orange Telephone Company.....	Orange City, Fla.....	Orange City.....	47		2			49
Peninsular Telephone Co.....	Tampa, Fla.....	Auburndale.....	115		18			134
		Bartow.....	706		161		22	889
		Bradenton.....	1,750		249		469	2,468
		Clearwater.....	1,680		378		1,167	3,225
		Frost Proof.....	179		16		15	210
		Gulf Beaches.....	217		28		305	550
		Haines City.....	396		81		59	536
		Lakeland.....	2,643		432		478	3,553
		Lake Wales.....	682		186		184	1,052
		Largo.....	165		18			183
		Mulberry.....	117		12			129
		New Port Richey.....	86		4			90
		Plant City.....	746	2	100		84	932

STATISTICS OF TELEPHONE COMPANIES—CALENDAR YEAR 1938

NAME OF COMPANY, BUSINESS ADDRESS, EXCHANGES AND SUBSCRIBER'S STATIONS IN OPERATION— ALL COMPANIES

NAME OF COMPANY	BUSINESS ADDRESS	EXCHANGES	Exchange	Rural	Extension	Farmer	P. B. X. and Intercon.	Total
		St. Petersburg.....	7,846	-----	1,224	-----	3,900	12,970
		Sarasota.....	1,807	-----	314	-----	566	2,687
		Tampa.....	14,355	57	2,209	-----	3,147	19,768
		Tarpon Springs.....	358	-----	44	-----	18	420
		Venice.....	144	-----	22	-----	38	204
		Winter Haven.....	1,157	-----	250	-----	133	1,540
Quincy Telephone Company.....	Quincy, Fla.....	Quincy.....	529	100	99	-----	14	742
Riverside Telephone Co.....	Blountstown, Fla.....	Blountstown.....	84	5	3	-----	-----	92
		Wewahitcha.....	4	-----	-----	-----	-----	4
St. Joseph Telephone & Telegraph Co.	Port St. Joe, Fla.....	Apalachicola.....	78	-----	4	-----	-----	82
		Port St. Joe.....	96	-----	9	-----	9	114
		River Junction.....	88	-----	4	-----	-----	92
Seymour Telephone Company.....	Sneeds, Fla.....	Sneeds.....	21	-----	-----	-----	-----	21
Southeastern Telephone Co.....	Chicago, Ill.....	Bonifay.....	80	-----	1	-----	-----	81
	327 S. La Salle	Crestview.....	76	7	2	-----	-----	85
		De Funiak Springs.....	255	18	13	-----	-----	286
		Greenville.....	19	5	-----	-----	-----	24
		Madison.....	194	7	11	13	-----	225
		Monticello.....	169	28	11	5	-----	213
		Ponce de Leon.....	8	3	-----	-----	-----	11
		Tallahassee.....	2,359	120	383	-----	491	3,353
		Valpariso.....	20	9	-----	-----	-----	31
Southern Bell Telephone & Telegraph Co.	Atlanta, Ga.....	Baldwin.....	22	-----	1	-----	-----	23
		Belle Glade.....	114	-----	22	-----	-----	136
		Boca Raton.....	57	-----	10	-----	501	568
		Boynton.....	47	-----	10	-----	-----	57
		Brooksville.....	227	-----	14	5	48	294
		Bunnell.....	48	-----	4	-----	-----	52
		Cedar Key.....	14	-----	-----	-----	-----	14
		Chipley.....	211	-----	17	3	-----	231
		Cocoa.....	355	-----	45	-----	160	560
		Cross City.....	63	-----	8	4	-----	75
		Daytona Beach.....	2,813	-----	507	3	1,646	4,969
		DeLand.....	828	-----	174	-----	347	1,349
		Delray Beach.....	309	-----	60	-----	212	581

STATISTICS OF TELEPHONE COMPANIES—CALENDAR YEAR 1938
NAME OF COMPANY, BUSINESS ADDRESS, EXCHANGES AND SUBSCRIBER'S STATIONS IN OPERATION—
ALL COMPANIES

NAME OF COMPANY	BUSINESS ADDRESS	EXCHANGES	Exchange	Rural	Extension	Farmer	P. B. X. and Intercon.	Total
		Dunnellon.....	71	-----	3	-----	-----	74
		Eau Gallie.....	36	-----	4	-----	68	108
		Fernandina.....	217	-----	25	1	17	260
		Ft. Lauderdale.....	1,503	-----	255	-----	621	2,379
		Ft. Pierce.....	650	1	113	-----	188	952
		Gainesville.....	1,820	-----	279	4	439	2,542
		Geneva.....	26	-----	2	-----	-----	28
		Golden Beach.....	35	-----	9	-----	21	65
		Graceville.....	73	-----	4	-----	-----	77
		Green Cove Springs.....	68	7	11	-----	-----	86
		Havana.....	91	-----	3	-----	-----	94
		Hawthorne.....	29	-----	3	-----	-----	32
		Hobe Sound.....	74	-----	46	-----	107	227
		Hollywood.....	547	-----	82	-----	708	1,337
		Homestead.....	168	84	41	-----	-----	293
		Jacksonville.....	18,972	-----	3,740	15	4,994	27,721
		Jacksonville Beach.....	375	-----	26	-----	23	424
		Jensen.....	25	-----	1	-----	-----	26
		Kelsey City.....	46	-----	7	-----	17	70
		Key West.....	634	-----	96	-----	265	995
		Lake City.....	475	-----	33	17	157	682
		Lake Worth.....	375	3	40	-----	229	647
		Lynn Haven.....	57	-----	4	-----	-----	61
		Mandarin.....	46	-----	1	-----	-----	47
		Melbourne.....	160	-----	17	6	130	313
		Miami.....	26,374	-----	6,257	-----	21,990	54,621

STATISTICS OF TELEPHONE COMPANIES—CALENDAR YEAR 1938
NAME OF COMPANY, BUSINESS ADDRESS, EXCHANGES AND SUBSCRIBER'S STATIONS IN OPERATION—
ALL COMPANIES

NAME OF COMPANY	BUSINESS ADDRESS	EXCHANGES	Exchange	Rural	Extension	Farmer	P. B. X. and Intercon.	Total
		Micanopy.....	29		1			30
		New Smyrna.....	299		44	4	57	404
		Orange Park.....	37		7			44
		Orlando.....	5,020		1,156	26	1,613	7,815
		Oviedo.....	51	6	3			60
		Pahokee.....	178		36			214
		Palatka.....	605	15	88	8	128	844
		Panama City.....	886		119		173	1,178
		Pensacola.....	3,823	1	562	6	537	4,929
		Pompano.....	112		7		82	201
		Ponte Vedra.....	41		5		100	146
		St. Augustine.....	1,597		239	15	704	2,555
		Sanford.....	1,079		167	3	120	1,369
		Stuart.....	182	1	25		79	287
		Titusville.....	135		11			146
		Vero Beach.....	325		34		100	459
		West Palm Beach.....	4,692		1,836		4,077	10,605
Starke Telephone Company.....	Starke, Fla.....	Starke.....	114		3	5		122
West Florida Telephone & Telegraph Co.....	Marianna, Fla.....	Marianna.....	388		35		80	503
West Putnam Telephone Co.....	Interlachen, Fla.....	Interlachen.....	8	32				40
Winter Park Telephone Co.....	Winter Park, Fla.....	Winter Park.....	830	7	212		175	1,224
Total.....	—	—	124,802	1,515	23,894	228	54,373	204,812

STATISTICS OF TELEPHONE COMPANIES—CALENDAR YEAR 1938
GENERAL BALANCE SHEET—CLASS "A" AND "B" COMPANIES AT DECEMBER 31, 1938

NAME OF COMPANY	A S S E T S							
	Telephone Plant	Investments in Affiliated Companies	Other Investments	Miscellaneous Physical Property	Sinking Funds	Current Assets	Deferred Assets	Total
Florida Telephone Corporation	\$ 1,048,906.53	\$	\$ 380,000.00	\$	\$	\$ 82,478.49	\$ 35,138.03	\$ 1,546,523.05
Gulf Telephone Company	41,855.61	.....	.....	.....	.....	837.17	.....	42,692.78
Inter County Telephone & Telegraph Co.	1,997,939.88	.....	.....	.....	.....	51,433.69	2,222.93	2,051,596.50
Milton Telephone Exchange	37,688.93	.....	790.00	.....	.....	15,683.38	.....	54,162.31
Peninsular Telephone Company	11,428,510.70	.....	5,936.00	167,090.01	80.00	1,294,615.03	599,549.55	13,495,781.29
Quincy Telephone Company, Inc.	109,129.54	.....	.....	.....	.....	3,791.28	.....	112,920.82
St. Joseph Telephone & Telegraph Co.	100,417.98	.....	.....	.....	.....	33,923.91	849.39	135,191.28
Southeastern Telephone Company	823,424.76	.....	.....	.....	.....	86,793.75	13,887.54	924,106.05
Southern Bell Telephone & Telegraph Co.	261,291,492.95	836,717.47	1,527,761.27	1,457,116.79	44,350.00	12,334,530.87	3,474,771.96	280,966,741.31
West Florida Telephone & Telegraph Co.	53,594.11	.....	.....	.....	.....	4,143.41	.....	57,737.52
F. A. Symonds, Lessee, West Florida Telephone & Telegraph Company* .....	.....	26,333.50	7,310.93	.....	.....	6,929.28	.....	40,573.71
Winter Park Telephone Company	220,557.95	13,500.00	.....	.....	.....	8,222.69	1,036.11	243,316.75
Total	\$277,153,518.94	\$ 876,550.97	\$1,921,798.20	\$1,624,206.80	\$ 44,430.00	\$13,923,382.95	\$4,127,455.51	\$299,671,343.37

STATISTICS OF TELEPHONE COMPANIES—CALENDAR YEAR 1938
GENERAL BALANCE SHEET—CLASS "A" AND "B" COMPANIES AT DECEMBER 31, 1938

NAME OF COMPANY	LIABILITIES								
	Stock	Long-term Debt	Current Liabilities	Accrued Liabilities Not Due	Deferred Credits and Reserves	Donations	Surplus Reserved	Unappropriated Surplus	Total
Florida Telephone Corporation	\$ 507,400.00	\$ 748,100.00	\$ 40,493.73	\$ 49,280.27	\$ 137,980.69	\$-----	\$-----	\$ 63,268.36	\$ 1,546,523.05
Gulf Telephone Company-----	10,000.00	-----	8,288.68	-----	22,871.00	-----	-----	1,533.10	42,692.78
Inter County Telephone & Telegraph Company-----	450,000.00	1,182,661.72	52,564.88	31,182.68	411,139.37	-----	-----	* 75,952.15	2,051,596.50
Milton Telephone Exchange--	13,682.00	-----	454.51	970.70	19,840.97	-----	-----	19,214.13	54,162.31
Peninsular Telephone Company	5,193,262.27	3,844,000.00	125,312.85	267,270.14	3,507,303.01	34,253.04	128,241.08	396,138.90	13,495,781.29
Quincy Telephone Co., Inc.---	55,500.00	-----	4,709.73	627.41	39,316.35	-----	-----	12,767.33	112,920.82
St. Joseph Telephone & Telegraph Company-----	50,000.00	-----	13,656.17	1,361.17	44,098.67	-----	-----	26,075.27	135,191.28
Southeastern Telephone Co.---	200,000.00	431,000.00	41,706.00	17,126.44	190,606.40	6,281.96	-----	37,385.25	924,106.05
Southern Bell Telephone & Telegraph Company-----	140,000,000.00	65,607,446.31	6,345,097.14	4,388,787.69	61,883,305.27	-----	-----	2,742,104.90	280,966,741.31
West Florida Telephone & Telegraph Company-----	20,000.00	-----	.18	82.07	29,851.01	-----	-----	7,804.26	57,737.52
F. A. Symonds, Lessee, West Florida Telephone & Telegraph Company*	-----	-----	29.60	11.40	-----	-----	-----	40,532.71	40,573.71
Winter Park Telephone Co.---	34,500.00	122,900.00	19,806.65	3,139.50	48,148.95	1,181.76	-----	13,639.89	243,316.75
Total-----	\$146,534,344.27	\$71,936,108.03	\$6,652,120.12	\$4,759,839.47	\$66,334,461.69	\$ 41,716.76	\$ 128,241.08	\$3,284,511.95	\$299,671,343.37

*-Denotes debit item or deficit.

STATISTICS OF TELEPHONE COMPANIES—CALENDAR YEAR 1938
INCOME STATEMENT—CLASS "A" AND "B" COMPANIES—ENTIRE COMPANY

NAME OF COMPANY	Telephone Operating Revenues	Telephone Operating Expenses	Net Telephone Operating Revenues	Rent from Lease Operating Property	Rent for Lease Operating Property	Operating Taxes	Net Operating Income
Florida Telephone Corporation.....	\$ 283,441.51	\$ 185,974.64	\$ 97,466.87	\$.....	\$.....	\$ 29,695.46	\$ 67,771.41
Gulf Telephone Company.....	10,597.68	9,783.51	814.17	.....	.....	647.03	167.14
Inter County Telephone & Telegraph Company.....	209,036.71	145,437.87	63,598.84	.....	.....	17,062.87	46,535.97
Milton Telephone Exchange.....	11,334.27	9,670.25	1,664.02	.....	.....	1,447.96	216.06
Peninsular Telephone Company.....	2,340,812.33	1,272,658.54	1,068,153.79	.....	.....	326,974.31	741,179.48
Quincy Telephone Company, Inc.....	27,242.51	21,114.39	6,128.12	.....	1,200.00	1,840.11	3,088.01
St. Joseph Telephone & Telegraph Company.....	29,466.82	22,569.83	6,896.99	.....	.....	1,885.32	5,011.67
Southeastern Telephone Company.....	193,720.44	119,579.25	74,141.19	.....	.....	20,358.74	53,782.45
Southern Bell Telephone & Telegraph Company.....	64,264,739.39	42,196,640.67	22,068,098.72	.....	.....	8,995,808.66	13,072,290.06
West Florida Telephone & Telegraph Company.....	5,663.57	5,701.69	*38.12	2,250.00	.....	1,637.43	574.45
F. A. Symonds, Lessee, West Florida Telephone & Telegraph Company.....	16,639.59	4,221.00	12,418.59	.....	2,250.00	185.41	9,983.18
Winter Park Telephone Company.....	46,258.79	32,951.71	13,307.08	.....	.....	3,256.65	10,050.43
Total.....	\$67,438,953.61	\$44,026,303.35	\$23,412,650.26	\$ 2,250.00	\$ 3,450.00	\$ 9,400,799.95	\$14,010,650.31

STATISTICS OF TELEPHONE COMPANIES—CALENDAR YEAR 1938
INCOME STATEMENT—CLASS "A" AND "B" COMPANIES—ENTIRE COMPANY (Continued)

NAME OF COMPANY	Other Income	Miscellaneous Deductions from Income	Income Available for Fixed Charges	Fixed Charges	Net Income	Dividend Appropriations	Income Balance
Florida Telephone Corporation.....	\$ 14,800.00	\$ 230.44	\$ 82,340.97	\$ 51,074.75	\$ 31,266.22	\$	\$ 31,266.22
Gulf Telephone Company.....			167.14	129.58	37.56		37.56
Inter County Telephone & Telegraph Company.....			46,535.97	52,839.36	* 6,303.39		* 6,303.39
Milton Telephone Exchange.....	225.00		441.06		441.06		441.06
Peninsular Telephone Company.....	3,664.52	18,723.89	726,120.11	174,275.72	551,844.39	171,500.00	380,344.39
Quincy Telephone Company, Inc.....	98.35		3,186.36	301.67	2,884.69		2,884.69
St. Joseph Telephone & Telegraph Company.....		965.54	4,046.13		4,046.13		4,046.13
Southeastern Telephone Company.....	2,448.94	62.50	56,168.89	22,657.16	33,511.73		33,511.73
Southern Bell Telephone & Telegraph Company.....	260,092.50	83,639.36	13,248,743.20	3,068,425.73	10,180,317.47	9,999,920.00	180,397.47
West Florida Telephone & Telegraph Company.....			574.45		574.45		574.45
F. A. Symonds, Lessee, West Florida Telephone & Telegraph Company.....			10,365.68		10,365.68	4,164.75	6,200.93
Winter Park Telephone Company.....	382.50		10,050.43	7,886.21	2,164.22		2,164.22
Total.....	\$ 281,711.81	\$ 103,621.73	\$14,188,740.39	\$ 3,377,590.18	\$10,811,150.21	\$10,175,584.75	\$ 635,565.46

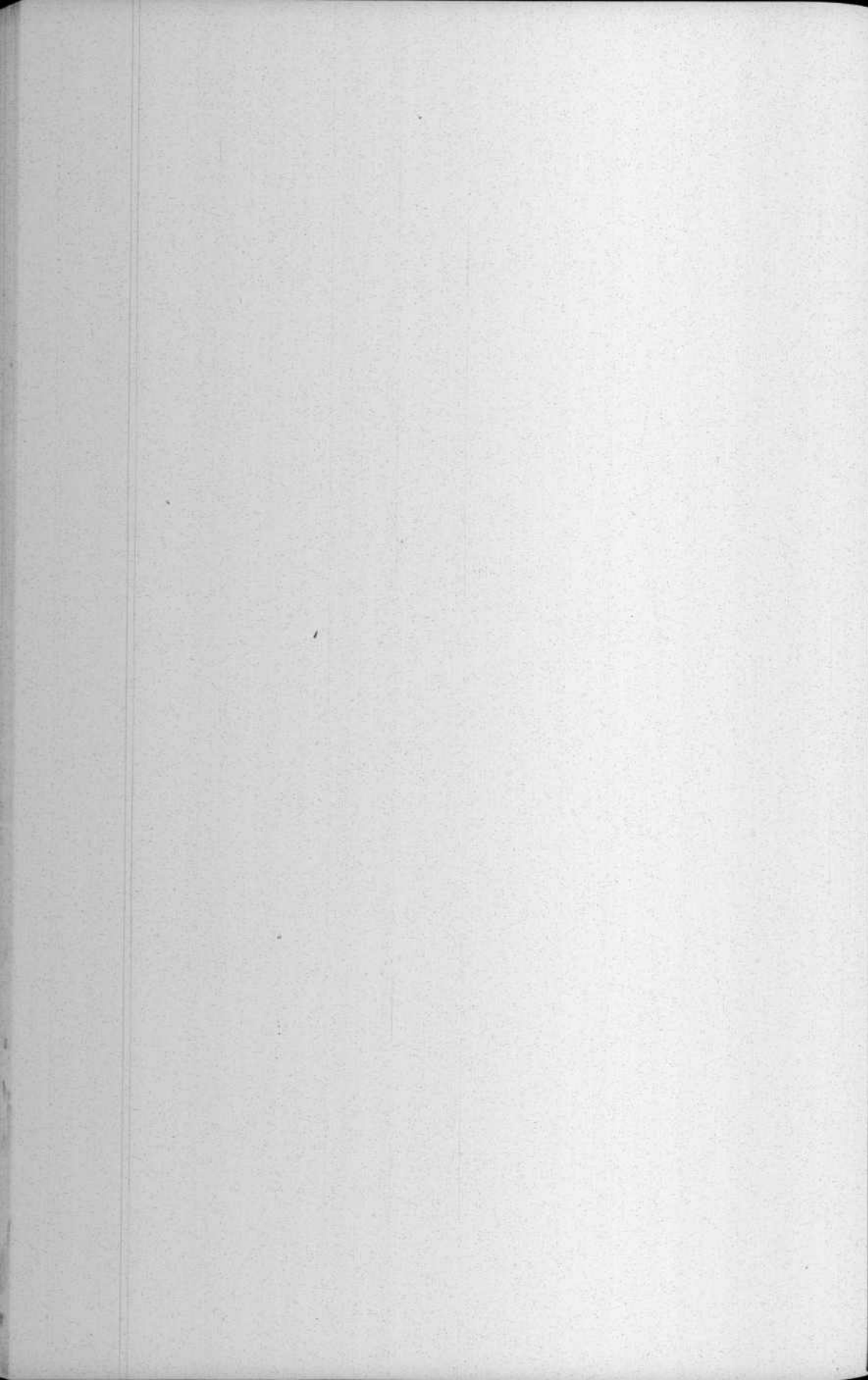
STATISTICS OF TELEPHONE COMPANIES—CALENDAR YEAR 1938
INCOME ACCOUNT—CLASS "C" COMPANIES

NAME OF COMPANY	Total Operating Revenue	Total Operating Expenses	Taxes	Miscellaneous Income	Interest and Miscellaneous Deductions	Net
Callahan Telephone & Telegraph Company.....	\$ 1,016.00	\$ 1,188.50	\$ 26.00	\$	\$	\$ * 198.50
Clewiston Telephone Company(1).....	5,303.35	7,109.55	443.23	480.00	720.00	* 2,489.43
Cottondale Telephone Company.....	1,690.00	1,675.00	83.70	.....	.....	* 68.70
Hampton Telephone Company.....	1,046.95	1,176.27	13.55	.....	.....	* 142.87
Macclenny Telephone Company.....	1,309.52	1,084.09	134.41	.....	.....	91.02
McIntosh Telephone Company.....	3,556.90	2,871.38	325.54	.....	421.88	* 61.50
Molino Telephone Company.....	443.58	374.15	10.98	.....	.....	58.45
Orange City Telephone Company.....	1,863.84	1,918.14	93.61	.....	240.34	* 388.25
Riverside Telephone Company.....	7,255.28	6,807.38	274.71	.....	731.33	* 558.14
Seymour Telephone Company.....	665.90	332.50	9.12	.....	.....	324.28
Starke Telephone Company.....	4,682.14	4,085.17	280.00	.....	520.00	* 203.03
West Putnam Telephone Company.....	1,364.76	1,335.63	45.03	.....	.....	* 15.90
Total.....	\$ 30,198.22	\$ 29,957.76	\$ 1,739.88	\$ 480.00	\$ 2,633.15	\$ * 3,652.57

*—Indicates deficit.

(1)—Ceased operations December 23, 1938.

Auto Transportation Companies



**AUTO TRANSPORTATION COMPANIES AND INDIVIDUALS
OPERATING LESS THAN FULL YEAR—CALENDAR YEAR 1938**

NAME OF COMPANY OR INDIVIDUAL	FROM	TO
BUS OPERATIONS		
Gulf Crescent Motor Lines, Inc. (Merged with Florida Motor Lines Corporation)	January 1, 1938	June 8, 1938
Gator Motor Lines, Inc.	July 1, 1938	December 31, 1938
Miller Bus Line	November 10, 1938	December 31, 1938
Orlando Transit Company	November 26, 1938	December 31, 1938
Rooks Coach Line	January 1, 1938	November 30, 1938
(Purchased by Lee Coach Line)		
TRUCK OPERATIONS		
Elliott-Young Consolidated, Inc. (Sold to Tamiami Trail Tours, Inc.)	January 1, 1938	September 22, 1938
Independent Transfer Company	January 1, 1938	October 31, 1938
Mathews Truck Line	January 1, 1938	January 31, 1938
(Sold to Overseas Transportation Company, Inc.)		

Green's Taxi & Baggage Transfer Certificate of Public Convenience and Necessity cancelled by order of Commission.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

GENERAL BALANCE SHEET—ENTIRE LINE

(Gross Revenue less than \$100,000 annually)

NAME OF COMPANY	ASSETS							
	Plant and Equipment	Investments	Reacquired Securities	Special Deposits	Current Assets	Prepayments	Deferred Charges	Grand Total
W. L. Akins Transportation Company, Inc.	\$ 1,700.00	\$	\$	\$	\$ 1,200.00	\$	\$	\$ 2,900.00
Bee Line Transfer	17,886.07			10.00	1,202.31	1,024.22		20,122.60
Brown Motor Freight & Boat Line, Inc.	3,028.00	14,786.11	5,855.78		555.78	71.88		24,297.55
C. & H. Transfer Company	20,178.80				280.18	75.00		20,533.98
Chastain Transfer Line	858.00					56.73		914.73
Elliott-Young Consolidated, Inc.	29,097.87		7,500.00	257.69	3,390.57	1,627.41		41,873.54
Five Transportation Company	66,795.81				8,621.17	875.00		76,291.98
Fogarty Brothers Transfer, Inc.	27,282.16	4,453.49			2,128.58	1,520.15		35,384.38
Green Brothers Transfer Company	7,837.75				1,035.55	23.00		8,896.30
Highway Transportation Company	1,243.87				153.80	106.25	50.00	1,553.92
Hunt Truck Line	27,055.17			7,300.00	71.89	897.76		35,324.82
Independent Transfer Company	3,417.92			253.00	3,302.68	58.10		7,031.70
Marshall Transfer Company	3,404.00				1,290.80	97.00		4,791.80
Mathews Truck Line	3,611.50				1,000.00	376.64		4,988.14
Overseas Transportation Company, Inc.	28,372.34				7,194.37			35,566.71
Peters Truck Line	947.00				4,137.00	110.00		5,194.00
Pittman Truck Line	6,780.91				216.04	294.15		7,291.10
Star Truck Line, Inc.	26,524.81				6,179.25	1,695.45		34,399.51
Tarpon Truck Line	1,478.00	4,500.00			4,908.33	120.60		11,006.93
Union Express Freight Company, Inc.	18,119.25			75.00	1,846.71			20,040.96
Walters Truck Line	1,855.09					65.50		1,920.59
Total Truck Operations—Common Carrier	\$ 297,474.32	\$ 23,739.60	\$ 13,355.78	\$ 7,895.69	\$ 48,715.01	\$ 9,094.84	\$ 50.00	\$ 400,325.24

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

GENERAL BALANCE SHEET—ENTIRE LINE

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	ASSETS						
	Plant and Equipment	Investments	Special Deposits	Current Assets	Prepayments	Deferred Charges	Grand Total
BUS OPERATIONS—COMMON CARRIER							
Fort Myers Transit Company.....	\$ 1,927.15	\$.....	\$.....	\$.....	\$.....	\$.....	\$ 1,927.15
Gator Motor Lines, Inc.....	1,692.16	.....	.....	470.01	121.83	.....	2,284.00
Georgia States, Inc.....	244,864.92	.....	72.00	44,268.49	7,554.04	5,315.6	302,075.07
Glades "K" Motor Lines.....	7,024.45	.....	.....	2,803.33	211.13	.....	10,038.91
Gulf Coast Motor Lines, Inc.....	4,005.70	.....	.....	6,177.60	75.00	.....	10,258.30
Gulf Crescent Motor Lines, Inc.....	.....	.....	.....	5,073.90	75.00	.....	5,148.90
Lee Coach Line.....	21,586.72	.....	25.00	.....	1,511.53	.....	23,123.25
J. O. Miller Bus Line.....	600.65	.....	.....	531.58	251.48	.....	1,383.71
Monroeville Bus Company, Inc.....	18,549.93	.....	110.00	4,323.33	672.76	.....	23,656.02
Orlando Transit Company.....	1,707.50	41,759.58	20.00	161.11	.....	.....	43,648.19
Pass-a-Grille Beach Bus Line.....	8,626.45	.....	.....	2,284.54	420.75	.....	11,331.74
Rooks Coach Line.....	515.86	.....	.....	.....	.....	70.00	585.86
Southern Tours, Inc.....	29,193.26	.....	85.00	1,378.20	407.36	.....	31,063.82
Tallahassee-Monticello Bus Line.....	836.50	.....	.....	.....	129.25	.....	965.75
Total Bus Operations—Common Carrier.....	\$ 341,131.25	\$ 41,759.58	\$ 312.00	\$ 67,472.09	\$ 11,430.13	\$ 5,385.62	\$ 467,490.67
COMBINED BUS AND TRUCK OPERATIONS							
McJunkin, Wayne F.....	\$ 22,696.70	\$.....	\$.....	359.17	1,065.78	\$.....	\$ 24,121.65
St. Andrews Bay Transportation Company.....	43,296.33	.....	25.00	10,800.87	1,369.20	1,927.43	57,418.88
University City Transfer Company, Inc.....	14,746.15	1,000.00	.....	4,180.82	751.90	.....	20,678.87
Total Combined Bus and Truck Operations—Common Carrier.....	\$ 80,739.18	\$ 1,000.00	\$ 25.00	\$ 15,340.86	\$ 3,186.88	\$ 1,927.48	\$ 102,219.40

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

GENERAL BALANCE SHEET—ENTIRE LINE

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	LIABILITIES								
	Corporate Capital Liabilities	Non Corporate Proprietor- ship	Funded Debt	Current Liabilities	Accrued Liabilities	Deferred Credits	Reserve Accounts	Corporate Surplus	Grand Total
W. L. Akins Transportation Co., Inc.	\$ 5,000.00	\$	\$	\$	\$ 133.87	\$	\$	\$*2,233.87	\$ 2,900.00
Bee Line Transfer		6,583.33		1,420.51	274.66		11,844.10		20,122.60
Brown Motor Freight & Boat Line, Inc.	19,813.70			15,516.18			8,176.51	*19,208.84	24,297.55
C. & H. Transfer Company		5,795.12			376.76		14,362.10		20,533.98
Chastain Transfer Line		280.49			4.68		629.56		914.73
Elliott-Young Consolidated, Inc.	15,000.00			13,001.30	2,780.80		13,773.67	*2,682.23	41,873.54
Five Transportation Company		22,071.75	6,252.00	8,564.18			39,404.05		76,291.98
Fogarty Brothers Transfer, Inc.	10,000.00			7,701.56	557.21		18,106.52	*980.91	35,384.38
Green Brothers Transfer Company		3,011.66	994.00		6.62		4,884.02		8,896.30
Highway Transportation Company	1,500.00			500.00			180.00	*626.08	1,553.92
Hunt Truck Line		12,091.19	524.11	12,673.10	301.67		9,734.75		35,324.82
Independent Transfer Company		*10,985.00		15,407.39	514.70		2,094.61		7,031.70
Marshall Transfer Company		4,168.48			74.10		549.22		4,791.80
Mathews Truck Line		2,044.85					2,943.29		4,988.14
Overseas Transportation Company, Inc.	7,000.00			14,575.47	1,565.39		8,074.08	4,351.77	35,566.71
Peters Truck Line		4,527.68		35.00			631.32		5,194.00
Pittman Truck Line		1,881.56	1,389.40	1,114.40	194.22		2,711.52		7,291.10
Star Truck Line, Inc.	12,755.89			19,930.41	905.70		10,085.64	*9,278.13	34,399.51
Tarpon Truck Line		10,310.93					696.00		11,006.93
Union Express Freight Company, Inc.	17,075.00			7,288.45	105.00		6,945.90	*11,373.39	20,040.96
Walters Truck Line		1,533.12			11.34		376.13		1,920.59
Total Truck Operations— Common Carrier	\$ 88,144.59	\$63,315.16	\$ 9,159.51	\$ 117,727.95	\$ 7,806.72	\$	\$ 156,202.99	*\$42,031.68	\$ 400,325.24

*—Indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

GENERAL BALANCE SHEET—ENTIRE COMPANY

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	LIABILITIES								
	Corporate Capital Liabilities	Non-Corporate Proprietor- ship	Funded Debt	Current Liabilities	Accrued Liabilities	Deferred Credits	Reserve Accounts	Corporate Surplus	Grand Total
BUS OPERATIONS— COMMON CARRIER									
Fort Myers Transit Company.....	\$.....	\$ 1,360.90	\$.....	\$.....	\$.....	\$.....	\$ 566.25	\$.....	\$ 1,927.15
Gator Motor Lines, Inc.....	500.00			1,343.28			240.00	200.72	2,284.00
Georgia States, Inc.....	110,500.00		37,635.12	83,659.45	24,119.69	544.22	39,973.64	5,642.95	302,075.07
Glades "K" Motor Lines.....		3,000.29		956.19	236.39		5,846.04		10,038.91
Gulf Coast Motor Lines, Inc.....	500.00						3,833.33	5,924.97	10,258.30
Gulf Crescent Motor Lines, Inc.....	3,000.00			10,932.95	149.00			*8,933.05	5,148.90
Lee Coach Line.....		8,638.82	4,506.09	2,218.10	277.92		7,482.32		23,123.25
J. O. Miller Bus Line.....		596.14	598.00	168.72			20.85		1,383.71
Monroeville Bus Company, Inc.....	2,500.00		2,898.76	5,681.21			9,818.29	2,757.76	23,656.02
Orlando Transit Company.....	20,000.00			3,066.97	1,573.37		15,523.94	3,483.91	43,648.19
Pass-a-Grille Beach Bus Line.....							3,596.48	7,735.26	11,331.74
Rooks Coach Line.....		25.39		129.76	14.85		415.86		585.86
Southern Tours, Inc.....	2,400.00			37,170.18	600.00		24,946.84	*34,053.20	31,063.82
Tallahassee-Monticello Bus Line.....		509.89	334.76	5.00	9.60		106.50		965.75
Total Bus Operations— Common Carrier.....	\$ 139,400.00	\$14,131.43	\$ 45,972.73	\$ 145,331.81	\$26,980.82	\$ 544.22	\$ 112,370.34	*\$17,240.68	\$ 467,490.67
COMBINED BUS AND TRUCK OPERATIONS									
McJunkin, Wayne F.....	\$.....	\$10,873.75	\$ 7,925.90	\$ 250.49	\$ 66.42	\$.....	\$ 5,005.09	\$.....	\$24,121.65
St. Andrews Bay Transportation Co.....	11,500.00		40,000.00	4,683.96	25.00	1,395.51	7,954.16	*8,139.75	57,418.88
University City Transfer Company, Inc.....	7,000.00		3,359.37	2,563.20	933.73		9,451.40	*2,628.83	20,678.87
Total Combined Bus & Truck Operations—Common Carrier	\$ 18,500.00	\$10,873.75	\$ 51,285.27	\$ 7,497.65	\$ 1,025.15	\$ 1,395.51	\$ 22,410.65	*\$10,768.58	\$ 102,219.40

*—Indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938
 PROFIT AND LOSS ACCOUNT—ENTIRE LINE
 (Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	Balance at Beginning of Period	Transferred from Income Account	Miscellaneous Credits	Miscellaneous Debits to P. & L. Account	Balance at Close of Period
W. L. Akins Transportation Company, Inc.....	\$ 514.52	\$ 987.29	\$	\$ 3,735.68	\$ *2,233.87
Bee Line Transfer.....		*253.12	40.66	*212.46	
Brown Motor Freight & Boat Line, Inc.....	*17,550.13	*1,658.71			*19,208.84
C. & H. Transfer Company.....		735.84		735.84	
Chastain Transfer Line.....		22.97		22.97	
Elliott-Young Consolidated, Inc.....	1,398.78	*4,202.89	258.98	137.10	*2,682.23
Five Transportation Company.....		5,469.99	150.00	5,619.99	
Fogarty Brothers Transfer, Inc.....	*630.09	*350.82			*980.91
Green Brothers Transfer Company.....		*106.03		*106.03	
Highway Transportation Company.....	*540.74	*85.34			*626.08
Hunt Truck Line.....		3,434.76	73.13	3,507.89	
Independent Transfer Company.....		*3,341.65		*3,341.65	
Marshall Transfer Company.....		1,060.24		1,060.24	
Mathews Truck Line.....		150.88		150.88	
Overseas Transportation Company, Inc.....	*806.04	5,068.36	89.45		4,351.77
Peters Truck Line.....		3,273.74		3,273.74	
Pittman Truck Line.....		1,072.70	55.20	1,127.90	
Star Truck Line, Inc.....	*4,988.04	*3,139.41	430.38	1,581.06	*9,278.13
Tarpon Truck Line.....		1,637.56		1,637.56	
Union Express Freight Company, Inc.....	*11,185.26	*188.13			*11,373.39
Walters Truck Line.....		*686.72		*686.72	
Total Truck Operations—Common Carrier.....	\$ *33,787.00	\$ 8,901.51	\$ 1,097.80	\$ 18,243.99	\$ *42,031.68

*—Indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

PROFIT AND LOSS ACCOUNT—ENTIRE LINE

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	Balance at Beginning of Period	Transferred from Income Account	Miscellaneous Credits	Miscellaneous Debits to P. & L. Account	Balance at Close of Period
BUS OPERATIONS—COMMON CARRIER					
Fort Myers Transit Company.....	\$.....	\$ *2,949.93	\$.....	\$ *2,949.93	\$.....
Gator Motor Lines, Inc.....	36.11	164.61			200.72
Georgia States, Inc.....	*4,281.24	43,088.89		33,164.70	5,642.95
Glades "K" Motor Lines.....		799.02		799.02	
Gulf Coast Motor Lines, Inc.....	5,920.96	4.01			5,924.97
Gulf Crescent Motor Lines, Inc.....	*9,421.55	488.50			*8,933.05
Lee Coach Line.....		736.05		736.05	
J. O. Miller Bus Line.....		*281.44		*281.44	
Monroeville Bus Company, Inc.....	1,277.00	2,130.16		649.40	2,757.76
Orlando Transit Company.....	4,400.03	*916.12			3,483.91
Pass-a-Grille Beach Bus Line.....	3,638.73	4,096.53			7,735.26
Rooks Coach Line.....		*138.04		*138.04	
Southern Tours, Inc.....	*34,687.68	*1,491.52			*36,179.20
Tallahassee-Monticello Bus Line.....		646.62	103.84	750.46	
Total Bus Operations—Common Carrier.....	\$ *33,117.64	\$ 46,377.34	\$ 103.84	\$ 32,730.22	\$ *19,366.68
COMBINED BUS AND TRUCK OPERATIONS					
McJunkin, Wayne F.....	\$.....	\$ *5,329.27	\$ 6.50	\$ *5,322.77	\$.....
St. Andrews Bay Transportation Company.....	*4,496.13	31.04		3,674.66	*8,139.75
University City Transfer Company, Inc.....	*2,043.20	*585.63			*2,628.83
Total Combined Bus and Truck Operations—Common Carrier.....	\$ *6,539.33	\$ *5,883.86	\$ 6.50	\$ *1,648.11	\$ *10,768.58

*-Indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

INCOME ACCOUNT—ENTIRE LINE

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	Auto Operating Revenues	Auto Operating Expenses	Net Revenue from Auto Operations	Net Revenue Affiliated or Auxiliary Operations	Net Operating Revenue	Auto Tax Accruals	Non- Operating Income	Income Deductions	Net Balance Carried to P. & L. Acct.
W. L. Akins Transportation Co., Inc.	\$ 27,868.55	\$ 78.84	\$ *78.84	\$ 693.20	\$ *78.84	\$ 133.87	\$ 1,200.00	\$ 201.85	\$ 987.29
Bee Line Transfer	11,444.77	23,920.24	3,948.31	*46.01	3,255.11	3,311.38	5.00	3,078.44	*253.12
Brown Motor Freight & Boat Line, Inc.	11,567.53	11,490.78	*46.01	*2,836.61	1,855.80	1,534.26	3,000.00		*1,658.71
C. & H. Transfer Company	2,129.65	6,875.12	4,692.41	14.00	230.65	1,119.96			735.84
Chastain Transfer Line	38,999.15	1,913.00	216.65	*121.29	2,227.18	207.68			22.97
Elliott-Young Consolidated, Inc.	101,856.20	36,650.68	2,348.47		6,137.17			292.90	*4,202.89
Five Transportation Company	53,477.69	85,455.76	16,400.44		16,400.44	9,915.50		1,014.95	5,469.99
Fogarty Brothers Transfer, Inc.	14,611.54	48,851.25	4,626.44		4,626.44	8,527.12	4,571.45	1,021.59	*350.82
Green Brothers Transfer Company	1,801.03	12,749.59	1,861.95	*77.75	1,784.20	1,770.15		120.08	*106.03
Highway Transportation Company	47,915.24	1,338.97	462.06		462.06	547.40			*85.34
Hunt Truck Line	19,090.58	36,461.17	11,454.07		11,454.07	7,848.92		170.39	3,434.76
Independent Transfer Company	3,926.95	17,851.88	1,238.70		1,238.70	1,912.75	150.00	2,817.60	*3,341.65
Marshall Transfer Company	486.82	3,489.39	437.56	1,155.66	1,593.22	532.98			1,060.24
Mathews Truck Line	84,228.55	279.90	206.92		206.92	56.04			150.88
Overseas Transportation Company, Inc.	11,992.26	70,032.92	14,195.63		14,195.63	8,974.27		153.00	5,068.36
Peters Truck Line	16,892.50	7,618.60	4,373.66		4,373.66	1,099.92			3,273.74
Pittman Truck Line	60,645.87	12,648.24	4,244.26		4,244.26	2,947.53		224.03	1,072.70
Star Truck Line, Inc.	4,605.27	52,997.71	7,648.16		7,648.16	10,626.03		161.54	*3,139.41
Tarpon Truck Line	33,614.56	2,345.63	2,259.64		2,259.64	622.08			1,637.56
Union Express Freight Company, Inc.	1,617.24	27,256.66	6,357.90		6,357.90	5,369.95		1,176.08	*188.13
Walters Truck Line		1,826.76	*209.52		*209.52	445.20		32.00	*686.72
Total Truck Operations—Common Carrier	\$ 548,771.95	\$ 462,133.09	\$ 86,638.86	\$ *2,559.19	\$ 84,079.67	\$ 73,640.16	\$ 8,926.45	\$ 10,464.45	\$ 8,901.51

*—Indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

INCOME ACCOUNT—ENTIRE LINE

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	Auto Operating Revenues	Auto Operating Expenses	Net Revenue from Auto Operations	Auto Tax Accruals	Non- Operating Income	Income Deductions	Net Balance Carried to P. & L. Account
BUS OPERATIONS—COMMON CARRIER							
Fort Myers Transit Company.....	\$ 1,723.62	\$ 3,909.01	\$ *2,185.39	\$ 764.54	\$-----	\$-----	\$ *2,949.93
Gator Motor Lines, Inc.....	3,963.70	3,053.78	909.92	736.74	-----	8.57	164.61
Georgia Stages, Inc.....	366,606.37	270,184.85	96,421.52	50,480.45	171.00	3,023.18	43,088.89
Glades "K" Motor Lines.....	26,626.96	21,658.76	4,968.20	3,994.65	-----	174.53	799.02
Gulf Coast Motor Lines, Inc.....	14,783.16	13,455.65	1,327.51	1,323.50	-----	-----	4.01
Gulf Crescent Motor Lines, Inc.....	19,346.34	16,000.14	3,346.20	2,857.70	-----	-----	488.50
Lee Coach Line.....	36,746.16	27,852.45	8,893.71	7,469.94	-----	687.72	736.05
J. O. Miller Bus Line.....	156.95	384.50	*227.55	49.43	-----	4.46	*281.44
Monroeville Bus Line.....	30,112.37	23,451.21	6,661.16	4,173.05	-----	357.95	2,130.16
Orlando Transit Company.....	964.20	790.44	173.76	259.21	-----	830.67	*916.12
Pass-a-Grille Beach Bus Line.....	13,092.95	7,268.00	5,824.95	1,728.42	-----	-----	4,096.53
Rooks Coach Line.....	1,816.30	1,557.80	258.50	396.54	-----	-----	*138.04
Southern Tours, Inc.....	17,970.21	17,431.22	538.99	2,030.51	-----	-----	*1,491.52
Tallahassee-Monticello Bus Line.....	1,597.75	697.21	900.54	232.69	-----	21.23	646.62
Total Bus Operations—Common Carrier.....	\$ 535,507.04	\$ 407,695.02	\$ 127,812.02	\$ 76,497.37	\$ 171.00	\$ 5,108.31	\$ 46,377.34
COMBINED BUS AND TRUCK OPERATIONS							
McJunkin, Wayne F.....	\$ 16,889.73	\$ 18,079.97	\$ *1,190.24	\$ 3,006.96	\$-----	\$ 1,132.07	\$ *5,329.27
St. Andrews Bay Transportation Company.....	61,093.11	47,590.97	13,502.14	13,430.93	27.42	67.59	31.04
University City Transfer Company, Inc.....	36,391.76	30,056.03	6,335.73	6,488.99	-----	432.37	*585.63
Total Combined Bus and Truck Operations—Common Carrier.....	\$ 114,374.60	\$ 95,726.97	\$ 18,647.63	\$ 22,926.88	\$ 27.42	\$ 1,632.03	\$ *5,883.86

*—Indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

OPERATING REVENUES—ENTIRE LINE

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY	Freight Revenue	Total Revenue from Transportation	Miscellaneous Operating Revenue	Total Revenue
W. L. Akins Transportation Company, Inc.....	\$.....	\$.....	\$.....	\$.....
Bee Line Transfer.....	27,488.10	27,488.10	380.45	27,868.55
Brown Motor Freight & Boat Line, Inc.....	11,421.00	11,421.00	23.77	11,444.77
C. & H. Transfer Company.....	11,441.98	11,441.98	125.55	11,567.53
Chastain Transfer Line.....	2,129.65	2,129.65	.....	2,129.65
Elliott-Young Consolidated, Inc.....	38,068.87	38,068.87	930.28	38,999.15
Five Transportation Company.....	101,764.98	101,764.98	91.22	101,856.20
Fogarty Brothers Transfer, Inc.....	52,452.67	52,452.67	1,025.02	53,477.69
Green Brothers Transfer Company.....	14,353.49	14,353.49	258.05	14,611.54
Highway Transportation Company.....	1,801.03	1,801.03	.....	1,801.03
Hunt Truck Line.....	47,193.59	47,193.59	721.65	47,915.24
Independent Transfer Company.....	18,866.94	18,866.94	223.64	19,090.58
Marshall Transfer Company.....	3,849.57	3,849.57	77.38	3,926.95
Mathews Truck Line.....	486.82	486.82	.....	486.82
Overseas Transportation Company, Inc.....	83,090.50	83,090.50	1,138.05	84,228.55
Peters Truck Line.....	11,489.34	11,489.34	502.92	11,992.26
Pittman Truck Line.....	16,892.50	16,892.50	.....	16,892.50
Star Truck Line, Inc.....	59,502.85	59,502.85	1,143.02	60,645.87
Tarpon Truck Line.....	4,605.27	4,605.27	.....	4,605.27
Union Express Freight Company, Inc.....	33,403.18	33,403.18	211.38	33,614.56
Walters Truck Line.....	1,617.24	1,617.24	.....	1,617.24
Total Truck Operations—Common Carrier.....	\$ 541,919.57	\$ 541,919.57	\$ 6,852.38	\$ 548,771.95

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

OPERATING REVENUES—ENTIRE LINE

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	Passenger Revenue	Baggage Revenue	Special (Chartered for Hire) Bus Revenue	U. S. Mail (on Buses)	Express Revenue	Freight Revenue	Total Revenue from Transportation	Miscellaneous Operating Revenue	Total Revenue
BUS OPERATIONS— COMMON CARRIER									
Fort Myers Transit Company.....	\$ 1,516.00	\$.....	\$ 10.00	\$.....	\$ 49.15	\$.....	\$ 1,575.15	\$ 148.47	\$ 1,723.62
Gator Motor Lines, Inc.....	3,796.02	.....	.....	.....	128.68	.....	3,924.70	39.00	3,963.70
Georgia Stages, Inc.....	351,389.79	.....	5,848.50	1,200.00	7,601.84	.....	366,040.13	566.24	366,606.37
Glades "K" Motor Lines.....	22,367.60	.....	.....	.....	3,924.56	.....	26,292.16	334.80	26,626.96
Gulf Coast Motor Lines, Inc.....	12,889.81	.....	.....	.....	1,893.35	.....	14,783.16	.....	14,783.16
Gulf Crescent Motor Lines, Inc.....	19,346.34	.....	.....	.....	.....	.....	19,346.34	.....	19,346.34
Lee Coach Line.....	32,919.96	.....	.....	1,590.00	2,236.20	.....	36,746.16	.....	36,746.16
J. O. Miller Bus Line.....	144.50	12.45	.....	.....	.....	.....	156.95	.....	156.95
Monroeville Bus Line.....	28,964.89	.....	.....	.....	1,147.48	.....	30,112.37	.....	30,112.37
Orlando Transit Company.....	964.20	.....	.....	.....	.....	.....	964.20	.....	964.20
Pass-a-Grille Beach Bus Line.....	12,920.45	.....	.....	.....	.....	.....	12,920.45	172.50	13,092.95
Rooks Coach Line.....	1,767.55	.....	.....	.....	48.75	.....	1,816.30	.....	1,816.30
Southern Tours, Inc.....	17,970.21	.....	.....	.....	.....	.....	17,970.21	.....	17,970.21
Tallahassee-Monticello Bus Line.....	988.00	.....	.....	597.00	12.75	.....	1,597.75	.....	1,597.75
Total Bus Operations— Common Carrier.....	\$ 507,945.32	\$ 12.45	\$ 5,858.50	\$ 3,387.00	\$ 17,042.76	\$.....	\$ 534,246.03	\$ 1,261.01	\$ 535,507.04
COMBINED BUS AND TRUCK OPERATIONS									
McJunkin, Wayne F.....	\$ 10,261.12	\$.....	\$.....	\$.....	\$.....	\$ 6,437.95	\$ 16,699.07	\$ 190.66	\$ 16,889.73
St. Andrews Bay Transportation Co.....	33,380.39	.....	230.00	6,289.19	2,586.97	18,426.25	60,912.80	180.31	61,093.11
University City Transfer Company, Inc.....	335.90	.....	.....	1,720.00	.....	33,883.47	35,939.37	452.39	36,391.76
Total Combined Bus and Truck Operations— Common Carrier	\$ 43,977.41	\$.....	\$ 230.00	\$ 8,009.19	\$ 2,586.97	\$ 58,747.67	\$ 113,551.24	\$ 823.36	\$ 114,374.60

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

OPERATING EXPENSES—ENTIRE LINE

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	Maintenance of Plant and Equipment	Operating Garage Expenses	Transportation	Traffic Promotion	Administrative and General Expenses	Total Operating Expenses
W. L. Akins Transportation Company, Inc.	\$	\$	\$	\$	\$ 78.84	\$ 78.84
Bee Line Transfer	3,112.83		10,425.22	208.63	10,173.56	23,920.24
Brown Motor Freight & Boat Line, Inc.	3,404.59		3,511.07	28.93	4,546.19	11,490.78
C. & H. Transfer Company	901.30		4,955.52	120.00	898.30	6,875.12
Chastain Transfer Line	583.50		1,224.50		105.00	1,913.00
Elliott-Young Consolidated, Inc.	4,425.91	1,785.06	16,117.00	1,577.20	12,745.51	36,650.68
Five Transportation Company	23,514.38		40,002.52		21,938.86	85,455.76
Fogarty Brothers Transfer, Inc.	11,005.13		19,606.91	2,172.48	16,066.73	48,851.25
Green Brothers Transfer Company	2,693.91		6,907.77	283.66	2,864.25	12,749.59
Highway Transportation Company	209.54		1,017.61	37.00	74.82	1,338.97
Hunt Truck Line	11,043.94		16,454.37	2,778.40	6,184.46	36,461.17
Independent Transfer Company	1,073.32		9,088.95	364.20	7,325.41	17,851.88
Marshall Transfer Company	330.94		1,647.50	26.25	1,484.70	3,489.39
Mathews Truck Line	19.09		205.61	1.40	53.80	279.90
Overseas Transportation Company, Inc.	7,083.24		36,744.50	947.35	25,257.83	70,032.92
Peters Truck Line	921.56		3,546.29		3,150.75	7,618.60
Pittman Truck Line	3,299.39		4,885.85	365.19	4,097.81	12,648.24
Star Truck Line, Inc.	9,719.76		28,365.90	1,295.14	13,616.91	52,997.71
Tarpon Truck Line	890.20		1,194.00		261.43	2,345.63
Union Express Freight Company, Inc.	5,097.29		11,442.36		10,717.01	27,256.66
Walters Truck Line	466.40		1,207.66		152.70	1,826.76
Total Truck Operations—Common Carrier	\$ 89,796.22	\$ 1,785.06	\$ 218,551.11	\$ 10,205.83	\$ 141,794.87	\$ 462,133.09

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

OPERATING EXPENSES—ENTIRE LINE

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	Maintenance of Plant and Equipment	Operating Garage Expenses	Transportation	Traffic Promotion	Administrative and General Expenses	Total Operating Expenses
BUS OPERATIONS—COMMON CARRIER						
Fort Myers Transit Company.....	\$ 1,427.40	\$	\$ 1,935.52	\$ 11.43	\$ 534.66	\$ 3,909.01
Gator Motor Lines, Inc.....	556.91	.....	1,769.36	28.00	699.51	3,053.78
Georgia Stages, Inc.....	91,406.93	3,713.97	115,647.43	10,873.45	48,543.07	270,184.85
Glades "K" Motor Lines.....	7,016.03	.....	6,460.75	308.33	7,873.65	21,658.76
Gulf Coast Motor Lines, Inc.....	2,739.16	.....	3,357.98	26.82	7,331.69	13,455.65
Gulf Crescent Motor Lines, Inc.....	3,234.35	253.50	8,319.73	1,300.26	2,892.30	16,000.14
Lee Coach Line.....	3,883.19	4,812.82	12,438.75	36.50	6,681.19	27,852.45
J. O. Miller Bus Line.....	21.75	.....	148.01	37.25	177.49	384.50
Monroeville Bus Line.....	8,527.22	.....	8,033.91	78.00	6,812.08	23,451.21
Orlando Transit Company.....	142.74	45.00	423.13	10.03	169.54	790.44
Pass-a-Grille Beach Bus Line.....	1,965.51	.....	4,061.55	65.85	1,175.09	7,268.00
Rooks Coach Line.....	291.91	60.15	861.74	22.00	322.00	1,557.80
Southern Tours, Inc.....	2,971.35	524.60	5,292.75	2,641.31	6,001.21	17,431.22
Tallahassee-Monticello Bus Line.....	206.35	42.22	293.45	.....	155.19	697.21
Total Bus Operations—Common Carrier.....	\$ 124,390.80	\$ 9,452.26	\$ 169,044.06	\$ 15,439.23	\$ 89,368.67	\$ 407,695.02
COMBINED BUS AND TRUCK OPERATIONS						
McJunkin, Wayne F.....	\$ 6,398.73	\$	\$ 6,368.50	\$	\$ 5,312.74	\$ 18,079.97
St. Andrews Bay Transportation Company.....	15,578.20	110.84	24,710.55	1,295.20	5,896.18	47,590.97
University City Transfer Company, Inc.....	5,432.65	.....	16,010.56	744.64	7,868.18	30,056.03
Total Combined Bus and Truck Operations—Common Carrier.....	\$ 27,409.58	\$ 110.84	\$ 47,089.61	\$ 2,039.84	\$ 19,077.10	\$ 95,726.97

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

TAXES ACCRUED AND PAID

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	On Auto Transportation Property	On Property Used in Affiliated or Auxiliary Operations	Miscellaneous Physical Property	Total Accrued During Year	Total Paid During Year
W. L. Akins Transportation Company.....	\$ 133.87	\$.....	\$.....	\$ 133.87	\$.....
Bee Line Transfer.....	3,311.38	1,890.96	.....	5,202.34	5,017.03
Brown Motor Freight & Boat Line, Inc.....	1,534.26	.....	.....	1,534.26	1,851.83
C. & H. Transfer Company.....	1,119.96	5,171.30	.....	6,291.26	6,330.24
Chastain Transfer Line.....	207.68	8.50	.....	216.18	213.00
Elliott-Young Consolidated, Inc.....	6,137.17	49.83	.....	6,187.00	6,660.61
Five Transportation Company.....	9,915.50	.....	.....	9,915.50	9,915.50
Fogarty Brothers Transfer, Inc.....	8,527.12	.....	359.81	8,886.93	9,074.69
Green Brothers Transfer Company.....	1,770.15	234.04	.....	2,004.19	1,920.81
Highway Transportation Company.....	547.40	.....	.....	547.40	409.65
Hunt Truck Line.....	7,848.92	.....	.....	7,848.92	7,915.96
Independent Transfer Company.....	1,912.75	.....	.....	1,912.75	1,643.82
Marshall Transfer Company.....	532.98	449.66	.....	982.64	921.38
Mathews Truck Line.....	56.04	.....	.....	56.04	34.16
Overseas Transportation Company, Inc.....	8,974.27	.....	.....	8,974.27	7,814.47
Peters Truck Line.....	1,099.92	.....	.....	1,099.92	1,099.92
Pittman Truck Line.....	2,947.53	.....	.....	2,947.53	2,804.25
Star Truck Line, Inc.....	10,626.03	.....	.....	10,626.03	10,547.70
Tarpon Truck Line.....	622.08	.....	.....	622.08	622.08
Union Express Freight Company, Inc.....	5,369.94	.....	.....	5,369.95	5,369.95
Walters Truck Line.....	445.20	.....	.....	445.20	445.52
Total Truck Operations—Common Carrier.....	\$ 73,640.16	\$ 7,804.29	\$ 359.81	\$ 81,804.26	\$ 80,812.57

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

TAXES ACCRUED AND PAID

(Gross revenue less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	On Auto Transportation Property	On Property Used in Affiliated or Auxiliary Operations	Miscellaneous Physical Property	Total Accrued During Year	Total Paid During Year
BUS OPERATIONS—COMMON CARRIER					
Fort Myers Transit Company.....	\$ 764.54	\$.....	\$.....	\$ 764.54	\$ 514.54
Gator Motor Lines, Inc.....	736.74	.....	.....	736.74	736.74
Georgia Stages, Inc.....	50,480.45	.....	.....	50,480.45	43,771.17
Glades "K" Motor Lines.....	3,994.65	.....	.....	3,994.65	3,980.87
Gulf Coast Motor Lines, Inc.....	1,323.50	.....	.....	1,323.50	1,323.50
Gulf Crescent Motor Lines, Inc.....	2,857.70	.....	.....	2,857.70	2,920.01
Lee Coach Line.....	7,469.94	.....	.....	7,469.94	7,416.39
J. O. Miller Bus Line.....	49.43	.....	.....	49.43	49.43
Monroeville Bus Line.....	4,173.05	.....	.....	4,173.05	4,173.05
Orlando Transit Company.....	259.21	.....	1,289.45	1,548.66	777.90
Pass-a-Grille Beach Bus Line.....	1,728.42	.....	.....	1,728.42	2,074.17
Rooks Coach Line.....	396.54	.....	.....	396.54	397.04
Southern Tours, Inc.....	2,030.51	.....	.....	2,030.51	1,653.51
Tallahassee-Monticello Bus Line.....	232.69	.....	.....	232.69	231.01
Total Bus Operations—Common Carrier.....	\$ 76,497.37	\$.....	\$ 1,289.45	\$ 77,786.82	\$ 70,019.33
COMBINED BUS AND TRUCK OPERATIONS					
McJunkin, Wayne F.....	\$ 3,006.96	\$.....	\$.....	\$ 3,006.96	\$ 3,041.04
St. Andrews Bay Transportation Company.....	13,430.93	.....	.....	13,430.93	13,852.32
University City Transfer Company, Inc.....	6,488.99	.....	.....	6,488.99	5,910.73
Total Combined Bus and Truck Operations—Common Carrier.....	\$ 22,926.88	\$.....	\$.....	\$ 22,926.88	\$ 22,804.09

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

MILEAGE, TRAFFIC AND MISCELLANEOUS STATISTICS—ENTIRE LINE

(Gross revenues less than \$100.000 annually)

NAME OF COMPANY OR OPERATOR	Average Miles of Road Operated	REVENUE MILES		TONS OF FREIGHT CARRIED
		Freight, Express and Mail Trucks	Truck Trailers	Revenue
W. L. Akins Transportation Company.....				
Bee Line Transfer.....	28	53,060		8,598
Brown Motor Freight & Boat Line, Inc.....	113	64,410		2,340
C. & H. Transfer Company.....	23	34,151		1,727
Chastain Transfer Line.....	35	4,000		300
Elliott-Young Consolidated, Inc.....	180	177,577		4,857
Five Transportation Company.....	677	228,564		11,924
Fogarty Brothers Transfer, Inc.....	56	137,396	14,623	8,248
Green Brothers Transfer Company.....	28	34,753		2,458
Highway Transportation Company.....	53	16,380		88
Hunt Truck Line.....	300	224,986		7,387
Independent Transfer Company.....	154	80,320		2,039
Marshall Transfer Company.....	23	14,536		424
Mathews Truck Line.....	28	1,416		62
Overseas Transportation Company, Inc.....	199	110,746	94,422	7,776
Peters Truck Line.....	38	41,662		1,483
Pittman Truck Line.....	280	154,400		2,114
Star Truck Line, Inc.....	469	286,178		9,981
Tarpon Truck Line.....	29	17,864		667
Union Express Freight Company, Inc.....	195	119,760		4,376
Walters Truck Line.....	27	13,536		245
Total Truck Operations—Common Carrier.....	2,935	1,815,695	109,045	77,094

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

MILEAGE, TRAFFIC AND MISCELLANEOUS STATISTICS—ENTIRE LINE

(Gross revenues less than \$100,000 annually)

NAME OF COMPANY OR OPERATOR	Average Miles of Road Operated	REVENUE MILES				REVENUE PASSENGERS CARRIED		TONS OF FREIGHT CARRIED	
		PASSENGER BUSES		Freight Express and Mail Trucks	Truck Trailers	Regular Tariff Rate	Excursion or Special Rates	Revenue	Non-Revenue
		Regular Service	Excursion or Special						
BUS OPERATIONS—COMMON CARRIER									
Fort Myers Transit Company.....	36	20,352	72			3,350	1,750		
Gator Motor Lines, Inc.....	75	51,374				2,847			
Georgia Stages, Inc.....	1,110	2,405,560	23,394			591,609	1,570		
Glades "K" Motor Lines.....	304	233,878				22,375			
Gulf Coast Motor Lines, Inc.....	37	100,111				30,384			
Gulf Crescent Motor Lines, Inc.....	178	112,130				11,079			
Lee Coach Lines.....	1,264	461,509				49,101			
J. O. Miller Bus Line.....	18	3,672				279			
Monroeville Bus Line.....	276	235,060				40,229			
Orlando Transit Company.....	19	11,023				4,821			
Pass-a-Grille Beach Bus Line.....	22	85,920				72,695			
Rooks Coach Line.....	50	33,066				2,363			
Southern Tours, Inc.....		67,488	352			3,929	24		
Tallahassee-Monticello Bus Line.....	24	21,696				659			
Total Bus Operations—Common Carrier...	3,413	3,842,839	23,818			835,720	3,344		
COMBINED BUS AND TRUCK OPERATIONS									
McJunkin, Wayne F.....	34	80,426		20,262		16,847		712	
St. Andrews Bay Transportation Company.....	350	287,470	1,240	199,272		45,974	96	2,174	10
University City Transfer Company, Inc.....	388	13,436		186,155	17,457	515		3,771	
Total Combined Bus and Truck Operations—Common Carrier.....	772	381,332	1,240	405,689	17,457	63,336	96	6,657	10

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938
GENERAL BALANCE SHEET—ENTIRE LINE
(Gross Revenue \$100,000.00 or More Annually)

NAME OF ACCOUNT	BUS OPERATIONS				
	Atlantic Greyhound Corporation	Florida Motor Lines Corporation	Southeastern Greyhound Lines	Teche Lines Incorporated	Union Bus Company
ASSETS					
Current assets.....	\$ 1,114,681.96	\$ 255,348.79	\$ 821,721.87	\$ 360,530.44	\$ 234,156.34
Carrier operating property.....	4,007,491.83	1,083,188.76	2,290,977.19	1,263,300.67	449,317.91
Reserve for depreciation and amortization.....	1,676,700.45	635,593.23	1,141,953.11	397,486.28	180,220.11
Noncarrier operating property.....					
Reserve for depreciation and amortization.....					
Nonoperating property.....				1,575.00	
Organization, franchises and permits.....		921,694.71	46,807.24		
Other intangible property.....	3,209,554.99		2,819,308.16	498,641.98	256,813.07
Reserve for amortization.....	64,191.10			9,972.84	
Investment and advances—associated companies.....	214,447.21	34,635.60	92,620.26		11,006.00
Other investments and advances.....	16,023.05	1.00	745.00	3,397.97	82,635.00
Special funds.....				11,000.00	
Deferred debits.....	170,773.64	26,678.65	45,661.90	51,925.74	1,829.03
Miscellaneous debit items.....			4,044.07		
Total Assets.....	\$ 6,992,081.13	\$1,685,954.28	\$ 4,979,932.58	\$ 1,782,912.68	\$ 856,537.24

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

GENERAL BALANCE SHEET—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

NAME OF ACCOUNT	TRUCK OPERATIONS						BUS & TRUCK OPERATIONS
	Acme Freight Lines, Inc.	Central Truck Lines, Inc.	Great Southern Trucking Co.	K. & L. Transportation Co., Inc.	L. & L. Freight Lines, Inc.	St. Johns River Line Company	Tamiami Trail Tours, Inc.
ASSETS							
Current assets.....	\$ 41,384.72	\$ 44,884.23	\$ 92,838.98	\$ 19,456.46	\$ 34,146.59	\$ 57,484.55	\$ 40,816.99
Carrier operating property.....	78,746.33	116,369.82	264,363.74	88,414.62	100,367.18	44,298.59	272,536.62
Reserve for depreciation and amortization.....	30,768.80	73,512.37	121,486.83	62,306.83	42,891.09	14,818.20	163,170.37
Noncarrier operating property.....						204,743.24	
Reserve for depreciation and amortization.....						71,428.09	
Nonoperating property.....							
Organization, franchises and permits.....	2,419.93		41,115.09	964.50	15,131.36		
Other intangible property.....	5,359.79	26,066.24				36,900.00	65,777.48
Reserve for amortization.....							
Investment and advances—associated companies.....							
Other investments and advances.....	14,250.00			2,395.01			60.00
Special funds.....							
Deferred debits.....	15,806.54	829.36	43,983.39	3,908.49	28,383.59	9,929.21	14,641.84
Miscellaneous debit items.....							
Total Assets.....	\$ 127,198.51	\$ 114,637.28	\$ 320,814.37	\$ 57,832.25	\$ 135,137.63	\$ 267,109.30	\$ 230,662.56

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

GENERAL BALANCE SHEET—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

NAME OF ACCOUNT	BUS OPERATIONS				
	Atlantic Greyhound Corporation	Florida Motor Lines Corporation	Southeastern Greyhound Lines	Teche Lines Incorporated	Union Bus Company
LIABILITIES					
Current liabilities.....	\$ 1,103,549.73	\$ 303,029.58	\$ 766,717.63	\$ 457,118.17	\$ 75,472.68
Advances payable—associated companies.....	150,000.00			84,000.00	
Other advances payable.....				16,000.00	
Equipment obligations.....	450,000.00		368,316.00	301,800.00	
Bonds.....					50,000.00
Other long-term obligations.....		135,000.00	46,945.57		19,345.56
Deferred credits.....		12,495.51	857.00		140,150.60
Reserves—insurance, injuries, loss and damage.....			7,158.48	3,600.00	
Preferred capital stock.....	1,700,900.00		761,730.00		
Common capital stock.....	719,153.85	683,220.00	999,200.00	178,995.00	500,000.00
Premiums and assessments on capital stock.....			381,800.00		
Unearned surplus.....	63,712.24			24,781.29	
Earned surplus.....	2,804,765.31	552,209.19	1,647,207.90	716,618.22	71,558.50
Total liabilities.....	\$ 6,992,081.13	\$ 1,685,954.28	\$ 4,979,932.58	\$ 1,782,912.68	\$ 856,537.24

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

GENERAL BALANCE SHEET—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

NAME OF ACCOUNT	TRUCK OPERATIONS						BUS & TRUCK OPERATIONS
	Acme Freight Lines, Inc.	Central Truck Lines, Inc.	Great Southern Trucking Co.	K. & L. Transportation Co., Inc.	L. & L. Freight Lines, Inc.	St. Johns River Line Company	Tamiami Trail Tours, Inc.
LIABILITIES							
Current liabilities.....	\$ 68,839.90	\$ 16,537.02	\$ 82,948.84	\$ 62,883.10	\$ 42,631.58	\$ 80,485.47	\$ 751,465.35
Advances payable—associated companies.....					7,102.67		
Other advances payable.....							
Equipment obligations.....	6,424.93	12,060.11			15,506.43	19,571.05	61,080.70
Bonds.....							
Other long-term obligations.....			50,000.00			14,775.59	11,800.00
Deferred credits.....					750.00		
Reserves—insurance, injuries, loss and damage.....	13.54		500.00				
Preferred capital stock.....	25,100.00		4,147.00		30,000.00		
Common capital stock.....	10,000.00	81,000.00	130,441.50	5,000.00	20,000.00	8,738.00	13,000.00
Premiums and assessments on capital stock.....	5,325.00					68,079.08	
Unearned surplus.....			472.28		58,134.78		
Earned surplus.....	11,495.14	5,040.15	52,304.75	* 15,050.85	*38,987.83	75,460.11	*606,683.49
Total liabilities.....	\$ 127,198.51	\$ 114,637.28	\$ 320,814.37	\$ 52,832.25	\$ 135,137.63	\$ 267,109.30	\$ 230,662.56

Asterisk indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

UNEARNED AND EARNED SURPLUS—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

NAME OF ACCOUNT	BUS OPERATIONS				
	Atlantic Greyhound Corporation	Florida Motor Lines Corporation	Southeastern Greyhound Lines	Teche Lines Incorporated	Union Bus Company
UNEARNED SURPLUS					
Balance at beginning of year.....	\$ 63,712.24	\$.....	\$.....	\$ 24,781.29	\$.....
Additions during the year.....					
Balance at close of year.....	\$ 63,712.24	\$.....	\$.....	\$ 24,781.29	\$.....
EARNED SURPLUS					
Earned surplus or deficit at beginning of year.....	\$ 2,077,691.14	\$ 324,183.44	\$ 1,131,134.09	\$ 538,801.13	\$ *61,483.33
Surplus credits applicable to prior years.....	237,470.59			35,585.10	
Credit balance transferred from income account.....	1,095,971.58	501,598.92	641,752.11	679,216.99	240,980.49
Other credits to surplus.....					
Total credits to surplus.....	3,411,133.31	825,782.36	1,772,886.20	1,253,603.22	179,497.16
Surplus debits applicable to prior years.....					147.01
Dividend appropriations.....	606,368.00	273,288.00	125,678.30	536,985.00	90,000.00
Other debits to surplus.....		285.17			17,791.65
Total debits to surplus.....	606,368.00	273,573.17	125,678.30	536,985.00	107,938.66
Earned surplus or deficit at close of year.....	\$ 2,804,765.31	\$ 552,209.19	\$ 1,647,207.90	\$ 716,618.22	\$ 71,558.50

Asterisk indicates debit item or deficit

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

UNEARNED AND EARNED SURPLUS—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

NAME OF ACCOUNT	TRUCK OPERATIONS						BUS & TRUCK OPERATIONS
	Acme Freight Lines, Inc.	Central Truck Lines, Inc.	Great Southern Trucking Co.	K. & L. Transportation Co., Inc.	L. & L. Freight Lines, Inc.	St. Johns River Line Company	Tamiami Trail Tours, Inc.
UNEARNED SURPLUS							
Balance at beginning of year.....	\$.....	\$.....	\$.....	\$.....	\$.....	\$.....	\$.....
Additions during the year.....			472.28		58,134.78		
Balance at close of year.....	\$.....	\$.....	\$ 472.28	\$.....	\$ 58,134.78	\$.....	\$.....
EARNED SURPLUS							
Earned surplus or deficit at beginning of year.....	\$ 473.47	\$ 394.98	\$ 25,298.77	\$ *15,650.47	\$ *23,457.49	\$ 64,770.08	\$ *627,822.16
Surplus credits applicable to prior years.....	2,240.87				10,051.50		
Credit balance transferred from income account.....	13,984.57	7,110.16	27,445.80	599.62	12,976.16	9,582.01	21,138.67
Other credits to surplus.....					856.19	1,263.99	
Total credits to surplus.....	16,698.91	7,505.14	52,744.57	*15,050.85	426.36	75,616.08	*606,683.49
Surplus debits applicable to prior years.....	3,091.69		439.82		37,556.54	155.97	
Dividend appropriations.....	1,194.63	2,430.00					
Other debits to surplus.....	917.45	34.99			1,857.65		
Total debits to surplus.....	5,203.77	2,464.99	439.82		39,414.19	155.97	
Earned surplus or deficit at close of year.....	\$ 11,495.14	\$ 5,040.15	\$ 52,304.75	\$ *15,050.85	\$ *38,987.83	\$ 75,460.11	\$ *606,683.49

Asterisk indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

INCOME STATEMENT—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

NAME OF ACCOUNT	BUS OPERATIONS				
	Atlantic Greyhound Corporation	Florida Motor Lines Corporation	Southeastern Greyhound Lines	Teche Lines Incorporated	Union Bus Company
Operating revenues.....	\$ 6,418,684.64	\$ 2,063,591.07	\$ 4,193,865.68	\$ 2,549,702.22	\$ 985,277.20
Operation and maintenance expenses.....	\$ 3,499,634.87	\$ 1,048,718.13	\$ 2,348,919.23	\$ 1,141,179.03	\$ 557,586.76
Depreciation expense.....	468,288.87	100,558.29	269,527.44	142,349.56	62,737.90
Amortization chargeable to operations.....		1,914.31			
Operating taxes and licenses.....	738,648.81	266,791.69	571,377.38	309,790.27	108,651.11
Operating rents—Net.....	230,331.08	34,094.96	96,086.97	64,712.39	19,908.23
Total Expenses.....	\$ 4,936,903.63	\$ 1,452,077.38	\$ 3,285,911.02	\$ 1,658,031.25	\$ 748,884.00
Net operating revenue.....	\$ 1,481,781.01	\$ 611,513.69	\$ 907,954.66	\$ 891,670.97	\$ 236,393.20
Rent for lease of carrier property.....	10,401.19				
Income from lease of carrier property—credit.....	6,503.21			*899.00	
Net carrier operating income.....	\$ 1,477,883.03	\$ 611,513.69	\$ 907,954.66	\$ 890,771.97	\$ 236,393.20
Other income.....	31,478.50	2,427.13	273.12	98.73	69,328.16
Gross Income.....	\$ 1,509,361.53	\$ 613,940.82	\$ 908,227.78	\$ 890,870.70	\$ 305,721.36
Income deductions.....	98,359.64	8,696.80	113,441.53	25,997.85	5,579.36
Net income before income taxes.....	\$ 1,411,001.89	\$ 605,244.02	\$ 794,786.25	\$ 864,872.85	\$ 300,142.00
Provision for income taxes.....	315,030.31	103,645.10	153,034.14	185,655.86	59,161.51
Net Income transferred to Earned Surplus.....	\$ 1,095,971.58	\$ 501,598.92	\$ 641,752.11	\$ 679,216.99	\$ 240,980.49

Asterisk indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

INCOME STATEMENT—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

NAME OF ACCOUNT	TRUCK OPERATIONS						BUS & TRUCK OPERATIONS
	Acme Freight Lines, Inc.	Central Truck Lines, Inc.	Great Southern Trucking Co.	K. & L. Transportation Co., Inc.	L. & L. Freight Lines, Inc.	St. Johns River Line Company	Tamiami Trail Tours, Inc.
Operating revenues.....	\$ 268,875.67	\$ 408,896.17	\$ 633,251.43	\$ 382,678.69	\$ 478,608.38	\$ 172,581.70	\$ 449,003.20
Operation and maintenance expenses.....	\$ 210,057.38	\$ 313,327.36	\$ 471,098.61	\$ 311,496.88	\$ 364,835.75	\$ 136,015.33	\$ 315,773.42
Depreciation expense.....	11,962.10	18,435.58	22,897.99	16,990.05	21,196.03	7,606.94	24,475.75
Amortization chargeable to operations.....							
Operating taxes and licenses.....	27,465.17	56,388.49	94,592.32	40,490.45	68,694.56	23,379.84	71,535.92
Operating rents—Net.....	2,109.50	10,479.61	7,224.87	6,762.50	5,825.42	3,493.72	6,620.83
Total Expenses.....	\$ 251,594.15	\$ 398,631.04	\$ 595,813.79	\$ 375,739.88	\$ 460,551.76	\$ 170,495.83	\$ 418,405.92
Net operating revenue.....	\$ 17,281.52	\$ 10,265.13	\$ 37,437.64	\$ 6,938.81	\$ 18,056.62	\$ 2,085.87	\$ 30,597.28
Rent for lease of carrier property.....	100.00				1,200.00		
Income from lease of carrier property—credit.....							
Net carrier operating income.....	\$ 17,181.52	\$ 10,265.13	\$ 37,437.64	\$ 6,938.81	\$ 16,856.62	\$ 2,085.87	\$ 30,597.28
Other income.....	228.61	215.41			8.77	13,223.64	
Gross Income.....	\$ 17,410.13	\$ 10,480.27	\$ 37,437.64	\$ 6,938.81	\$ 16,865.39	\$ 15,309.51	\$ 30,597.28
Income deductions.....	1,535.56	2,299.85	2,491.84	6,193.01	1,759.25	4,049.08	3,150.55
Net income before income taxes.....	\$ 15,874.57	\$ 8,180.42	\$ 34,945.80	\$ 745.80	\$ 15,106.14	\$ 11,260.43	\$ 27,446.73
Provision for income taxes.....	1,890.00	1,070.26	7,500.00	146.18	2,129.98	1,678.42	6,308.06
Net Income transferred to Earned Surplus.....	\$ 13,984.57	\$ 7,110.16	\$ 27,445.80	\$ 599.62	\$ 12,976.16	\$ 9,582.01	\$ 21,138.67

Asterisk indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

OPERATING REVENUES AND EXPENSES—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

NAME OF ACCOUNT	BUS OPERATIONS				
	Atlantic Greyhound Corporation	Florida Motor Lines Corporation	Southeastern Greyhound Lines	Teché Lines Incorporated	Union Bus Company
OPERATING REVENUES					
Freight revenue—common carrier	\$.....	\$.....	\$.....	\$.....	\$.....
Passenger revenue	6,197,414.19	1,941,556.08	4,047,335.41	2,413,195.95	925,320.75
Special bus revenue	81,538.95	44,070.55	41,599.77	30,543.45	12,343.43
Baggage revenue	865.19	1,063.99	1,048.10	413.11	152.37
Mail revenue	2,434.41	2,077.66	626.00	1,875.00	.....
Express revenue	46,324.96	53,288.50	56,415.40	51,541.08	8,639.91
Newspaper revenue	23,463.69	7,232.96	31,722.38	22,216.43	7,370.81
Miscellaneous station revenue	66,643.25	14,301.33	15,118.62	29,917.20	31,449.93
Miscellaneous terminal revenue .....	.....	.....	.....	.....	.....
Other operating revenue .....	.....	.....	.....	.....	.....
Total Operating Revenue	\$ 6,418,684.64	\$ 2,063,591.07	\$ 4,193,865.68	\$ 2,549,702.22	\$ 985,277.20
OPERATING EXPENSES					
Equipment maintenance and garage expense	\$ 775,137.91	\$ 239,343.58	\$ 629,741.99	\$ 281,974.22	\$ 111,677.15
Transportation expense	1,333,635.22	403,105.13	850,424.30	424,766.22	176,463.95
Station expense	556,225.17	145,675.71	343,674.14	168,078.10	112,616.51
Traffic, solicitation and advertising expense	243,869.76	88,986.19	126,350.20	63,716.67	31,304.22
Insurance and safety expense	279,419.88	73,689.90	186,367.23	90,894.81	49,804.24
Administrative and general expense	311,346.93	97,917.62	212,361.37	111,749.01	75,720.69
Terminal expense .....	.....	.....	.....	.....	.....
Total Operating Expenses	\$ 3,499,634.87	\$ 1,048,718.13	\$ 2,348,919.23	\$ 1,141,179.03	\$ 557,586.76

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

OPERATING REVENUES AND EXPENSES—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

NAME OF ACCOUNT	TRUCK OPERATIONS						BUS & TRUCK OPERATIONS
	Acme Freight Lines, Inc.	Central Truck Lines, Inc.	Great Southern Trucking Co.	K. & L. Transportation Co., Inc.	L. & L. Freight Lines, Inc.	St. Johns River Line Company	Tamiami Trail Tours, Inc.
OPERATING REVENUES							
Freight revenue—common carrier.....	\$ 268,661.65	\$ 408,688.20	\$ 632,678.39	\$ 380,106.02	\$ 478,375.46	\$ 169,759.88	\$ 184,309.01
Passenger revenue.....							243,906.16
Special bus revenue.....							7,208.38
Baggage revenue.....							
Mail revenue.....							
Express revenue.....							7,708.89
Newspaper revenue.....							3,008.34
Miscellaneous station revenue.....							138.06
Miscellaneous terminal revenue.....	15.42				222.29	2,821.82	323.30
Other operating revenue.....	198.60	207.97	573.04	2,572.67	10.03		2,401.06
Total Operating Revenue.....	\$ 268,875.67	\$ 408,896.17	\$ 633,251.43	\$ 382,678.69	\$ 478,608.38	\$ 172,581.70	\$ 449,003.20
OPERATING EXPENSES							
Equipment maintenance and garage expense.....	\$ 42,651.42	\$ 55,970.50	\$ 75,580.48	\$ 62,020.37	\$ 58,926.47	\$ 25,403.07	\$ 73,046.05
Transportation expense.....	45,924.66	119,283.52	119,656.67	91,296.11	102,541.74	23,308.92	75,739.24
Station expense.....							30,428.64
Traffic, solicitation and advertising expense.....	23,033.36	11,624.90	23,859.82	18,710.76	18,768.63	3,798.11	30,697.77
Insurance and safety expense.....	17,946.13	25,361.51	39,625.24	31,782.29	37,272.96	13,345.86	29,157.27
Administrative and general expense.....	34,527.30	35,135.88	52,559.88	45,315.44	36,356.36	10,502.38	33,724.63
Terminal expense.....	45,974.51	65,951.05	159,816.52	62,371.91	110,969.59	59,656.99	42,979.85
Total Operating Expenses.....	\$ 210,057.38	\$ 313,327.36	\$ 471,098.61	\$ 311,496.88	\$ 364,835.75	\$ 136,015.33	\$ 315,773.42

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

OPERATING TAXES AND LICENSES—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

KIND OF TAX	BUS OPERATIONS				
	Atlantic Greyhound Corporation	Florida Motor Lines Corporation	Southeastern Greyhound Lines	Teche Lines Incorporated	Union Bus Company
Gasoline, other fuel, and lubricating oil.....	\$ 259,209.17	\$ 115,568.32	\$ 197,912.88	\$ 128,322.55	\$ 49,712.22
Public-utility taxes and licenses.....	291,483.15	79.47	209,551.90	103,630.20	37,999.61
Other licenses.....	1,687.62	40,625.54	2,945.80	2,482.27	42.49
Real estate and personal property taxes (or gross receipts taxes).....	29,155.70	6,090.98	55,820.13	9,567.68	455.03
Social security taxes.....	57,691.15	17,519.50	39,776.03	22,671.87	7,773.11
Federal and state capital stock and stock transfer taxes.....	14,312.00	12,813.00	12,145.46	11,322.00	4,377.98
Federal excise taxes.....	82,741.83	362.38	47,962.44	25,106.83	8,082.23
Other taxes—mileage, documentary, state excise, use, franchise, intangible property, etc.....		73,732.50	1,728.03	62.78	
Corporation.....	2,368.19		3,534.71	6,624.09	208.44
Total operating taxes and licenses.....	\$ 738,648.81	\$ 266,791.69	\$ 571,377.38	\$ 309,790.27	\$ 108,651.11
PROVISION FOR INCOME TAXES					
Federal income tax.....	\$ 235,195.31	\$ 103,645.10	\$ 131,319.57	\$ 134,105.64	\$ 52,829.73
Federal excess profits tax.....					
Federal surtax on undistributed profits.....	24,138.00			3,017.89	
State income taxes.....	55,697.00		21,714.57	48,532.33	6,331.78
Total provision for income taxes.....	\$ 315,030.31	\$ 103,645.10	\$ 153,034.14	\$ 185,655.86	\$ 59,161.51

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938
OPERATING TAXES AND LICENSES—ENTIRE LINE
(Gross Revenue \$100,000.00 or More Annually)

KIND OF TAX	TRUCK OPERATIONS						BUS & TRUCK OPERATIONS
	Acme Freight Lines, Inc.	Central Truck Lines, Inc.	Great Southern Trucking Co.	K. & L. Transportation Co., Inc.	L. & L. Freight Lines, Inc.	St. Johns River Line Company	Tamiami Trail Tours, Inc.
Gasoline, other fuel, and lubricating oil.....	\$ 11,430.44	\$ 25,679.30	\$ 42,072.43	\$ 23,764.21	\$ 26,770.37	\$ 7,163.20	\$ 33,570.77
Public-utility taxes and licenses.....	11,695.09	13,818.77	18,232.11	10,392.37	30,095.80	—	30,211.84
Other licenses.....	2.00	10,861.30	24,225.72	—	—	11,964.71	—
Real estate and personal property taxes (or gross receipts taxes).....	38.16	—	—	171.06	43.81	906.12	187.61
Social security taxes.....	3,631.49	6,029.12	10,062.06	1,193.80	7,016.62	3,051.24	5,098.16
Federal and state capital stock and stock transfer taxes.....	400.00	—	—	—	410.00	—	500.00
Federal excise taxes.....	.78	—	—	3,106.95	4,357.96	—	1,957.54
Other taxes—mileage, documentary, state excise, use, franchise, intangible property, etc.....	267.21	—	—	1,812.06	—	294.57	10.00
Corporation.....	—	—	—	50.00	—	—	—
Total operating taxes and licenses.....	\$ 27,465.17	\$ 56,388.49	\$ 94,592.32	\$ 40,490.45	\$ 68,694.56	\$ 23,379.84	\$ 71,535.92
PROVISION FOR INCOME TAXES							
Federal income tax.....	\$ 1,890.00	\$ 1,070.26	\$ 6,700.00	—	\$ 2,129.98	\$ 1,678.42	\$ 6,308.06
Federal excess profits tax.....	—	—	300.00	—	—	—	—
Federal surtax on undistributed profits.....	—	—	500.00	146.18	—	—	—
State income taxes.....	—	—	—	—	—	—	—
Total provision for income taxes.....	\$ 1,890.00	\$ 1,070.26	\$ 7,500.00	\$ 146.18	\$ 2,129.98	\$ 1,678.42	\$ 6,308.06

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

OPERATING STATISTICS—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

I T E M	-BUS OPERATIONS				
	Atlantic Greyhound Corporation	Florida Motor Lines Corporation	Southeastern Greyhound Lines	Teche Lines Incorporated	Union Bus Company
Busses operated in inter-city common carrier service (regular routes) owned equipment:					
Number of vehicles.....	243	77	172	110	33
Miles operated (including non-revenue).....	23,183,735	7,515,586	16,087,053	8,489,774	3,509,847
Bus-miles operated in irregular inter-city service (special, including charter or sight-seeing).....	227,692	148,461	-----	83,099	45,377
Number of inter-city revenue passengers carried:					
Regular route.....	5,584,828	1,237,136	4,393,021	2,497,052	865,676
Special service as above.....	17,081	30,060	21,667	13,466	6,102
Free—including employees.....	38,423	9,412	40,712	9,266	4,671
Number of regular route inter-city passenger-miles.....	410,761,557	2,419	N.A.	N.A.	N.A.
Total number of passengers carried.....	5,640,332	1,276,608	4,455,400	2,519,784	876,449
Passenger revenue from:					
—Regular route inter-city service (A or E).....	A\$ 6,197,414.19	A\$ 1,930,733.44	A\$ 4,047,335.41	A\$ 2,413,195.95	A\$ 925,320.75
Special inter-city service (charter or sightseeing).....	\$ 81,538.95	\$ 54,893.19	\$ 41,599.77	\$ 30,543.45	\$ 12,343.43
Total passenger revenue.....	\$ 6,278,953.14	\$ 1,985,626.63	\$ 4,088,935.18	\$ 2,443,739.40	\$ 937,664.18

N.A.—Not available.

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

OPERATING STATISTICS—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

OF THE RAILROAD COMMISSION

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	BUS OPERATIONS				
	Atlantic Greyhound Corporation	Florida Motor Lines Corporation	Southeastern Greyhound Lines	Teche Lines Incorporated	Union Bus Company
MILES OPERATED (INCLUDING NON-REVENUE) COMMON CARRIER ONLY					
Owned trucks operated in inter-city service.....					
Owned tractors operated in inter-city service.....					
Total owned vehicles.....					
Total all vehicles operated in inter-city service.....					
HOURS OPERATED—COMMON CARRIER ONLY					
Used exclusively in pick-up and delivery and other local service:					
Owned vehicles.....					
Leased vehicles.....					
Tons of revenue freight carried in inter-city service.....					
Ton-miles in intercity revenue freight carried.....					
Freight revenue from inter-city service, including pick-up and delivery if provided for in line-haul rate (Actual or Esti- mated—A or E).....	\$.....	\$.....	\$.....	\$.....	\$.....
Revenue from local service (A or E).....	\$.....	\$.....	\$.....	\$.....	\$.....
Total freight revenue—actual.....	\$.....	\$.....	\$.....	\$.....	\$.....

STATISTICS OF AUTO TRANSPORTATION COMPANIES—CALENDAR YEAR 1938

OPERATING STATISTICS—ENTIRE LINE

(Gross Revenue \$100,000.00 or More Annually)

I T E M	TRUCK OPERATIONS						BUS & TRUCK OPERATIONS
	Acme Freight Lines, Inc.	Central Truck Lines, Inc.	Great Southern Trucking Co.	K. & L. Transportation Co., Inc.	L. & L. Freight Lines, Inc.	St. Johns River Line Company	Tamiami Trail Tours, Inc.
MILES OPERATED (INCLUDING NON-REVENUE) COMMON CARRIER ONLY							
Owned trucks operated in inter-city service.....	7,500	1,856,011	N.A.	531,374	187,452	646,077	
Owned tractors operated in inter-city service.....	1,244,237		N.A.	2,115,126	2,184,376	417,927	
Total owned vehicles.....	1,251,737	1,856,011	2,775,067	2,115,126	2,715,750	605,379	646,077
Total all vehicles operated in inter-city service.....	1,251,737	1,856,011	2,775,067	2,115,126	2,715,750	605,379	646,077
HOURS OPERATED—COMMON CARRIER ONLY							
Used exclusively in pick-up and delivery and other local service	32,936	60,000	N.A.	66,010	48,952	48,915	64,000
Owned vehicles.....			N.A.				
Leased vehicles.....							
Tons of revenue freight carried in inter-city service.....	20,555	34,430	46,450	43,658	60,897	45,468	19,207
Ton-miles in intercity revenue freight carried.....			N.A.	N.A.		N.A.	N.A.
Freight revenue from inter-city service, including pick-up and delivery if provided for in line-haul rate (Actual or Estimated—A or E).....	\$ 268,371.65	N.A.	\$ 628,176.64	\$ 478,375.46	\$ 169,759.88	\$ 184,309.01	
Revenue from local service (A or E).....	\$ 290.00	N.A.					
Total freight revenue—actual.....	\$ 268,661.65	\$ 408,896.17	\$ 632,678.39	\$ 382,516.03	\$ 478,375.46	\$ 169,759.88	\$ 184,309.01

N.A.—Not available.

Ferry Companies

STATISTICS OF FERRY COMPANIES—CALENDAR YEAR 1938
GENERAL BALANCE SHEET—ENTIRE COMPANY
AT DECEMBER 31, 1938

ASSETS		Bee Line Ferry, Inc.
TANGIBLE PROPERTY		
Line equipment—boats.....	\$	245,288.90
Real estate.....		40,753.38
Terminals.....		17,773.90
Buildings.....		2,594.26
Office equipment.....		967.40
Miscellaneous equipment.....		1,452.58
Total Tangible property.....	\$	308,830.42
INTANGIBLE PROPERTY		
Franchise and good will.....	\$	60,204.62
CURRENT ASSETS		
Cash on hand and in bank.....		7,965.09
Accounts receivable.....		392.55
Service deposits.....		45.00
Other current assets.....		161.75
Total current assets.....	\$	8,564.39
DEFERRED DEBIT ITEMS		
Prepaid expenses.....		6,022.70
Deferred charges to operations.....		4,426.84
Total deferred debit items.....	\$	10,449.54
Grand Total.....	\$	388,048.97
LIABILITIES		
CAPITAL STOCK		
Common stock.....	\$	136,500.00
LONG-TERM DEBT		
Notes and mortgages payable.....	\$	42,324.00
CURRENT LIABILITIES		
Accounts payable.....	\$	11,500.00
Notes and mortgages payable.....		36,000.00
Miscellaneous.....		7,640.33
Total current liabilities.....	\$	55,140.77
OTHER LIABILITIES		
Tampa Bay Ferry Company.....	\$	3,297.00
Bee Line Ferry Company.....		715.00
Capital notes.....		534.68
Total other liabilities.....	\$	4,546.68
UNADJUSTED CREDITS		
Accruals.....	\$	2,966.55
Reserve for accrued depreciation.....		79,990.04
Total unadjusted credits.....	\$	82,956.59
Profit and loss—credit.....	\$	66,580.93
Grand Total.....	\$	388,048.97

STATISTICS OF FERRY COMPANIES—CALENDAR YEAR 1938
PROFIT AND LOSS ACCOUNT—ENTIRE COMPANY

I T E M	BEE LINE FERRY, INC.	
	Debits	Credits
Balance at beginning of year.....	\$	\$ 34,298.32
Transferred from income.....	.....	39,021.12
Donations to capital.....	.....	5,352.32
Pay roll tax on bonus.....	3.03	.....
Preferred stock premium.....	2,710.00	.....
Dividend on preferred stock.....	1,987.35	.....
Political campaign expense.....	500.00	.....
Income tax for 1938.....	6,890.45	.....
Credit balance at December 31, 1938.....	66,580.93	.....
Total.....	\$ 78,671.76	\$ 78,671.76

STATISTICS OF FERRY COMPANIES—CALENDAR YEAR 1938
ANALYSIS OF TRAFFIC

I T E M	Bee Line Ferry, Inc.
Number of passengers carried.....	148,989
Number of trucks carried.....	4,194
Number of automobiles carried.....	79,785
Number of round trips by ferry.....	6,589

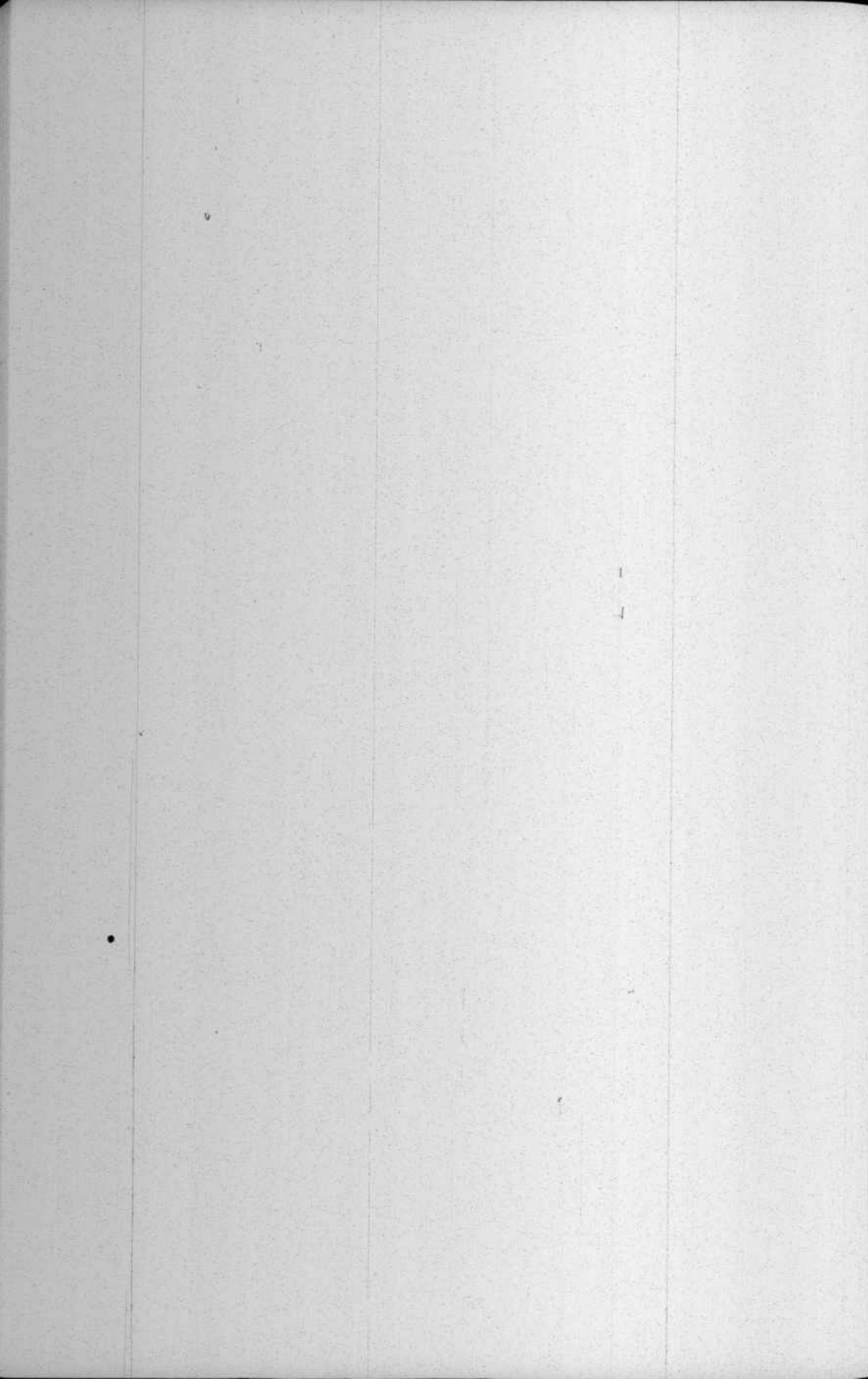
S C H E D U L E S

Boats operate 24 round trips daily or every 30 minutes excepting for the period April 1 to December 24, 1938, inclusive, during which time there were 16 round trips daily, or one every 45 minutes.

STATISTICS OF FERRY COMPANIES—CALENDAR YEAR 1938
INCOME ACCOUNT—ENTIRE COMPANY

I T E M	Bee Line Ferry, Inc.
OPERATING REVENUES: TOLLS	
Automobiles.....	\$ 79,063.90
Trucks.....	7,412.75
Passengers.....	17,636.05
Busses.....	1,308.15
Excursions.....	43,277.00
Trailers.....	617.55
Miscellaneous.....	127.50
Refunds on coupon tickets.....	* 193.80
Total operating revenues.....	\$ 149,249.10
OPERATING EXPENSES	
TRANSPORTATION EXPENSE	
Salary and wages.....	\$ 29,664.89
Superintendent salary.....	2,701.00
Fuel and lubricants.....	10,483.81
Operating supplies.....	1,109.04
Boat repairs.....	15,427.48
Terminal repairs.....	3,457.91
Schedules, tickets, etc.....	603.09
Miscellaneous.....	4,125.12
Total transportation expense.....	\$ 67,572.34
DEPRECIATION EXPENSE	
Boats.....	\$ 12,062.30
Terminals.....	3,729.24
Buildings.....	277.74
Miscellaneous.....	344.44
Total depreciation expense.....	\$ 16,413.72
ADMINISTRATION EXPENSE	
Officer's salaries.....	\$ 2,400.00
Directors' fees.....	590.00
Office salary.....	2,627.01
Advertising.....	4,188.78
Insurance.....	8,463.09
Legal and accounting.....	1,750.00
Miscellaneous.....	1,019.10
Total administration expense.....	\$ 21,037.98
Total operating expenses.....	\$ 105,024.04
Net revenue from ferry operations.....	\$ 44,225.06 *
Taxes accrued.....	1,554.12
Ferry operating income.....	\$ 42,670.94
OTHER INCOME	
Discounts earned.....	\$ 378.40
Concession rents.....	855.00
Miscellaneous.....	574.68
Total other income.....	\$ 1,808.08
Gross Income.....	\$ 44,479.02
INCOME DEDUCTIONS	
Interest on funded and unfunded debt.....	\$ 3,063.22
Finance charges.....	2,213.28
Miscellaneous.....	181.40
Total income deductions.....	\$ 5,457.90
Credit balance transferred to profit and loss.....	\$ 39,021.12

*Asterisk represents debit item.



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